

The Agency of Action: Kinetic Culture and American Policy in the Wake of 9/11

BY

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DISCLAIMER

The conclusions and opinions expressed in this document are those of the author. They do not reflect the official position of the US Government, Department of Defense, the United States Air Force, or Air University.

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ABSTRACT

Every age has its characteristic means of warfare. The paradigm of using information primarily as a means to the ends of kinetic force governs military operations today. Kinetic operations are an essential part of the mission of the Department of Defense, but they should not define the spectrum of military operations. This study seeks to demonstrate *if* and *how* the kinetic culture of the Department of Defense shapes national security policy. Building on the work of civil-military relations scholar Peter Feaver, this study investigates the bargaining process that occurs between civilian principal and military agent in the formulation of national security policy. Within each stage of the process, there are factors that influence the degree of decision control each actor has over the policy decision. Collectively, these factors provide the actor greater informal influence over the policy decision. The policy process is most heavily shaped at the outset because this is when the policy problem is defined and the range of solutions determined. If the military agent—despite his formal subordination to the civilian principal—possesses the higher degree of informal decision control early in the policy process, then his preferences should be evident in the policy decision. The model seeks to explain how military agents, who are legally subordinate to civilian principals, may nevertheless influence the policy outcome according to their preferences.

The informal decision control framework is applied to the case of the post-9/11 national security policy process, centered on the decision to conduct military operations in Afghanistan and then in Iraq. The case study determines that civilian principals' and military agents' preferences were closely aligned during the post-9/11 policy formulation process; both groups of actors sought to use kinetic action to solve the policy problem. The evidence suggests that kinetic culture is not isolated within the Department of Defense, but extends to a broadly western and specifically American way of warfighting embraced by civilian principals and military agents alike. Finally, the case study reveals limits to the utility of agency theory when applied to civil-military relations. In cases where policy preferences do not significantly differ between civilian principals and military agents, agency theory is not useful in explaining behavior or decision-making.

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CHAPTER 1

Introduction

Our purpose was not to assign, in passing, a handful of principles of warfare to each period. We wanted to show how every age had its own kind of war, its own limiting condition, and its own peculiar preconceptions. ... One cannot, therefore, understand and appreciate the commanders of the past until one has placed oneself in the situation of their times, not so much by a painstaking study of all its details as by an accurate appreciation of its major determining features.

-Carl von Clausewitz

Beginning a study about the U.S. military's kinetic culture with a quotation from Carl von Clausewitz is precarious, given the widespread misinterpretation of Clausewitz within military circles as a staunch advocate for a maximum exertion of physical strength in war. Readers may link the ideas of kinetic action to Clausewitz so readily as to miss the entire premise of this study, and the less familiar use of Clausewitz. But no more memorable point can be made than that which upsets the reader's expectations, by using Clausewitz for aims contrary to the abused norms. In Book Eight of *On War*, Clausewitz writes about "war plans," or what we would term "strategy" today, with the intent to distinguish the considerations of real war from that of absolute war, or war unadulterated by reality, extant only in theoretical form. In developing a strategy for war, Clausewitz asserts, the belligerent must take account not only of his aims and resources, but also of "the spirit of the age and its general character," in addition to the nature of war itself.¹ The "peculiar preconceptions" to which Clausewitz refers in the leading quotation, and this characterization of the character and spirit of the age, reflect his belief that the means of war change with the age, and the thinking about war changes with the means.

The means of war in the Information Age, however, do not reflect an adjustment commensurate with its peculiarities. Instead, the Department of Defense remains mired in legacy thought and culture that prefers kinetic operations to non-kinetic operations. This study seeks to establish that preference and determine *if* and *how* it impacts national

¹ Carl von Clausewitz, *On War*, eds. and trans. by Michael Howard and Peter Paret (Princeton: Princeton University, 1976), 594.

security policy in the interaction between the military establishment and civilian policy-makers.

Background

How have the means of war changed since the Industrial Age? The exponential growth in and evolution of technology since World War II has contracted time and space with similar proportions to that of the mid-century airplane, the great “civilizing” force of Billy Mitchell’s day.² The means of war reached their destructive apogee in 1952 with the development of the thermonuclear weapon, and have since been whittled and refined into comparatively precise, discriminate tools of warfare. Precision-guided air-to-ground munitions have increased in relative usage with every conflict since the Persian Gulf War of 1991, while advanced communications and video capabilities enable senior military officers on the ground or in an Air Operations Center to authorize force in situations that generate high concern for collateral damage. Given the technological advances of the last thirty years, cellular phones shrunk from brick-sized to the size of a deck of cards, computing capacity doubled every eighteen months, and a global Internet grown to offer more information than several libraries combined, at near instantaneous speeds to individual users. Today, an average individual with a smart phone can reach an audience formerly accessible only by a head of state or media icon. The means of war have grown considerably in their precision, range and access, while shrinking in their size and cost. The 1991 Gulf War provided the first persuasive evidence that the means of war had changed dramatically, as the air campaign paved the way for just one hundred hours of ground combat before Iraq’s capitulation. Stealth, precision-guided munitions, and cruise missiles in concert with Col John Warden’s paralysis strategy enabled Coalition forces to rapidly conclude the conflict, with minimal loss of life. Yet, Instant Thunder did much more than signal the evolution of technological means of war; it signified a strategic shift in the ways of war—victory through information dominance.³

² William “Billy” Mitchell, *Winged Defense* (Tuscaloosa, AL: University of Alabama Press, 2009), 77.

³ The characterization of the 1991 Gulf War as the first information war is attributed to Alan Campen in *The First Information War*. Alan Campen, *The First Information War: The Story of Communications, Computers and Intelligence Systems in the Persian Gulf War* (Fairfax, VA: AFCEA International Press, 1992). As cited in Edward Mann III, *Thunder and Lightning: Desert Storm and the Airpower Debates* (Maxwell AFB, AL: Air University Press, 1995), 146.

The conduct of warfare since the dawn of the Information Age further reinforces the continued ascendency of information in the battlespace. While the 1991 Gulf War utilized precision-guided munitions, their utilization rates were significantly higher in air operations in Bosnia in 1994 and Kosovo in 1999.⁴ The expectations of achieving deliberate and specific effects through intelligence, surveillance, reconnaissance, and targeting only increased following the success of Operation Instant Thunder. Targeting information and weapons accuracy during Operation Deliberate Force were sufficient to ensure minimal collateral damage and enabled continuity between United Nations messaging and military operations.⁵ Air operations over Kosovo years later required similar increases in the fidelity and volume of information to achieve effects. Yugoslav President Milosevic did not waver under pressure of the air campaign until intelligence professionals refined their understanding of his power base, and the targeting shifted to the electrical grid, oil refineries, petroleum depots, media stations, and political party headquarters.⁶ As evidenced in Allied Force, without information to guide the application of military force, it is unlikely to achieve the effects required for attainment of political objectives.

Operations Desert Storm, Deliberate Force, and Allied Force represent early stages in the evolution of warfare in the Information Age. Information, that is, was used to support the application of military force—*kinetic* force—and not as a weapon itself. The same construct continues to be employed today, with minimal deviation from this outmoded paradigm. The Department of Defense largely continues to maintain an Industrial-Age framework that relies upon the use of overwhelming kinetic force to achieve political objectives, and uses information only as a means to that end.

More recent military operations demonstrate the veracity of this claim. The makers of national security policy employed a kinetic military response to the terrorist attacks of September 11th, 2001, vice waging a campaign led with an information spear. Confounded by the threat of weapons of mass destruction under Saddam Hussein's

⁴ Twenty-nine percent of munitions dropped in Operation Allied Force were precision-guided. Captain Gregory Ball, Air Force Historical Studies Office, "Operation Allied Force," Fact Sheet, August 23, 2012, <http://www.afhso.af.mil/topics/factsheets/factsheet.asp?id=18652>.

⁵ Benjamin Lambeth, *The Transformation of American Airpower* (Ithaca, NY: Cornell University Press, 2000), 176.

⁶ Lambeth, *The Transformation of American Airpower*, 187.

control, American leaders visited the same fate on Iraq. Operation Odyssey Dawn, although largely validated by a substantial coalition and United Nations Security Council Resolution, did not deviate from the established, Industrial-Age patterns.

This is not to suggest there is *no place* for kinetic action in national security. Certainly, in some cases, the use of physical force may be justified or necessitated. The 2011 civilian protection mission in Libya, under United Nations mandate, may be just such an example; the existential threat to national survival posed by Nazi Germany is another. Kinetic military action is able to do some things better than other means; it is also one of the most persuasive means available for a state to coerce an adversary. As economist Thomas Schelling points out, there are miles between brute force and coercion on the security landscape. Brute force does *not coerce*, but instead decides an outcome through physical destruction and suffering.⁷ Coercion requires behavior modification as a consequence of threatened kinetic action. In other words, *latent* military force can coerce, and therefore may achieve political objectives, while brute force eliminates the possibility of coercion.

According to this logic, the threat of military action is equally, if not more, effective than kinetic military action. Threats of force are far less costly than kinetic action, because kinetic action involves unrecoverable force expenditure, either through direct losses or opportunity costs. Threats of force, like repositioning an aircraft carrier to the Persian Gulf as a part of peacetime power projection, require either no such expenditure or a much-reduced expenditure. If the threat of military action can achieve the same outcomes as kinetic military action, at less cost, the incentives for kinetic military action dissipate. These incentives are even further reduced by the increased importance of information in warfare of the current age. Al Qaida embraced the Information-Age construct readily, using kinetic paramilitary force to make a statement, but an on-going information campaign to fan the flames of global discontent with the United States that persists to this day. Al Qaida succeeded at indirectly reducing U.S. power by provoking the United States to undertake costly—both in terms of prestige and economics—military operations.

⁷ Thomas Schelling, *Arms and Influence* (New Haven, CT: Yale University Press, 1966), 2.

The United States is continuing to make micro-advances in giving information equal status amongst the military means of warfare. Stuxnet, for example, the vicious cyber worm dispatched against Iran in 2010, exploited intelligence indicating Iran had developed two hundred centrifuges for uranium refinement, used information designating the location of the centrifuges, and harnessed programming expertise that enabled the worm to move around the world until it identified the desired target. The Stuxnet worm was the first of its kind to bridge the divide between information and kinetic action, having originated in the information domain, used information as a weapon, and achieved kinetic destruction.⁸

Purer examples of the use of information as the primary weapon are in evidence today, and reflect a recognition of the primacy of information that dates back to 400 BCE, when Sun Tzu acknowledged “all warfare is based on deception.”⁹ Sun Tzu’s mandates to know the enemy and to subdue the enemy without fighting are mutually reinforcing ideas that validate the centrality of information in warfare. A modern example of the power of information as a primary weapon comes from deep in the jungles of the Democratic Republic of Congo, where a terrorist group known as the Lord’s Resistance Army operates. The Lord’s Resistance Army, under the leadership of self-proclaimed spiritual master Joseph Kony, has terrorized remote villages for more than twenty years since the movement began in rural northern Uganda. Kony’s *modus operandus* was to move into a remote village around dusk, using his forced-conscript hatchet men to grab the village youth and mutilate their bodies, hacking off limbs or gouging eyes, terrorizing the village into submission. In this manner, the village youth were sufficiently threatened into joining the terrorist gang, for fear of the alternative. Kony raided the village for material goods, in addition to human reinforcements, and march the groups through the night for twenty or thirty kilometers out into the bush. Sufficiently disoriented, there were few prospects for escape for the new gang members. Kony had long-serving disciples that shot recent conscripts trying to escape; those that successfully evaded Kony’s loyalists often fell prey to the Ugandan Army teams hunting

⁸ David Sanger, *Confront and Conceal: Obama’s Secret Wars and Surprising Use of American Power* (NY: Crown, 2012), 200.

⁹ Samuel Griffith, trans., *Sun Tzu: The Art of War* (NY: Oxford University, 1963), 66.

the terrorist group, or were killed by villagers they came upon for their past heinous crimes.

In the vast, forested terrain stretching from northern Uganda into north-central Democratic Republic of Congo, southern Central African Republic, and southern Sudan, there was limited mobility for the Uganda military. Chasing the Lord’s Resistance Army through the bush following an attack was extremely difficult for the soldiers, who did not possess Kony’s degree of familiarity with the terrain. The space was too large, and even though the numbers of Kony’s followers reached into the several hundreds, their footprint was too small and too remote to be detected from above. The Ugandan military recognized, however, Kony could not be effective without followers. Many of Kony’s followers were compelled, at a very young age, to adapt to the harsh living of the bush, the nomadic lifestyle, and the kill-or-be-killed mentality. Those captured young enough and early enough in the group’s development became the hard-line followers, inured to Kony’s deception. Others, however, saw through Kony’s feigned mysticism and occasionally succeeded in escaping. Once the Ugandan Army became aware of attempted escapes, they educated their forces that singular gang members encountered in the bush may be attempting to escape, and should be not be killed—these individuals could provide valuable information as to Kony’s tactics, techniques, and procedures, and enable better targeting. As defectors gradually made their way out of the bush, the Ugandan Army began to exploit the information the defectors provided. Rather than use the information solely for a game of cat-and-mouse, the soldiers developed radio broadcasts targeting potential defectors, whom they by then knew listened to evening radio broadcasts out of earshot of Kony.¹⁰ These broadcasts informed gang members that Kony was not honest with them, and that if they should escape, the Ugandan Army would not kill them. Furthermore, they’d be reunited with their families in Uganda.

The radio broadcasts had some effect, but not to the extent desired by the Ugandan Army. Defectors reported that most feared it was a ruse by the Ugandan military to lure them out and prosecute them as criminals or, even worse, kill them. The Army refined the programs, using individual defectors on the broadcasts to relay that they

¹⁰ Kony actually traveled in a separate entourage with a special security detail, so as not to risk detection by close proximity with the larger group. Kony would use couriers to relay messages to group leaders as they moved through the bush.

had been successfully returned to Uganda and rejoined with their families. Flyers with photographs of smiling familiar faces alongside family members from their home village were fastened to trees in the bush, in hopes that Kony's followers would be persuaded that escape was feasible.

The information campaign severely degraded Kony's ability to operate by gradually eliminating the gang members he relied upon heavily to gather foodstuffs, transport supplies, and terrorize villages. Defectors increasingly made it to sanctuary, and the communication of their success encouraged further defection, slowly undercutting Kony's base. By 2011, the Lord's Resistance Army was still operating in sub-Saharan Africa, but with greatly reduced capabilities as a result of the Ugandan Army's incisive information campaign. Information, while initially playing an enabling role for kinetic operations, ultimately became the primary mechanism by which the Ugandan Army depleted the strength of the terrorist group.

The Ugandan Army's prosecution of the Lord's Resistance Army provides an example at one end of the spectrum between purely non-kinetic information and kinetic action. The Stuxnet worm, bridging the divide between information as a weapon and information enabling kinetic action, represents the mid-spectrum, where the U.S. Military has only begun to dabble. On the far right end of the spectrum, information is used according to the Industrial-Age paradigm, purely as an enabler for kinetic action. Operating under the outdated construct of Industrial Age warfare is a consequence of a kinetic culture, dating back to World War II, which prevails within the Department of Defense.

The dramatic experience of World War II served to harden service cultures around Industrial-Age warfare, the hallmark of which was kinetic operations. Cultural norms developed in the Industrial Age seeped into the culture of the Department of Defense, penetrating it to the deepest level, and avoiding detection by long-immune warfighters. My hypothesis is that the Department's kinetic culture, a residue of the Industrial Age, results in an unnecessary reliance on the use of force in national security policy, neglecting fair consideration of alternative shaping operations. Consequently, the Department of Defense fails on two counts. First, it fails to provide national leaders with the full range of options available to formulate national security policy. In 2012, a senior

defense civilian remarked to an audience of mid-career Air Force officers that the military needed to do a better job of presenting *options* to senior leaders. Too often, she indicated, the military only scales the same plan up and down, offering national leadership few conceptual alternatives. Second, cultural entrenchment within the Department of Defense prevents full maturation into the Information Age. Senior military leadership must capitalize on Clausewitz's insights by acknowledging the shift between the Industrial and Information Ages, and making commensurate adjustments to both war and national security policy.

Research Problem

As the best resourced and organized national department, national leaders turn to the Department of Defense for national security policy options. A culture that prefers kinetic operations over non-kinetic operations, or one that conceives of the “full spectrum” of operations as being comprised wholly or in the majority of kinetic operations may artificially or unnecessarily bias national decision-makers toward kinetic solutions to national security policy problems. In part, the necessity for the Department of Defense to maintain physically deterrent and defensive capabilities to protect and defend the nation compels the armed forces to maintain a high level of competency in kinetic operations, and this requirement, to some degree, cultivates a culture of kinetic operations. The requirement for competency should not, however, skew the spectrum of operations exclusively toward kinetic operations at the expense of effective and economical non-kinetic operations. First, this study will seek to establish that culture of the Department of Defense indicates preferences for kinetic operations, which are considered constitutive to both the role and function of the military.

Operating on this premise, this study will investigate *if* and *how* the kinetic culture of the Department of Defense shapes American national security policy. In seeking to determine *if* and *how* that culture shapes American national security policy, this study will pursue answers to subordinate questions. Does the Department's kinetic culture unnecessarily or artificially influence American national security policy options toward the use of force? What is the mechanism through which the Department's cultural influence might occur? Are there periods of increased vulnerability to cultural biases in

the national security policy formulation process? What are those periods, and how can decision-makers better defend against unintended influences? Finally, what historical evidence demonstrates the influence of the Department’s kinetic culture on national security policy outcomes?

Definitions

The central purpose of this study is to determine how if and how the kinetic culture of the Department of Defense shapes national security policy outcomes. Critical to that determination is an understanding of what how kinetic culture is defined. Joint Publication 1-02, Department of Defense Dictionary of Military and Associated Terms, does not define nor use the word or term *kinetic*. Both the English and the British versions of the Oxford Dictionaries define the word as an adjective “relating to or resulting from motion,” with roots in the Greek *kinetikos*, meaning ‘to move.’¹¹ Merriam-Webster Dictionary’s primary definition for the term is “of or relating to the motion of material bodies and the forces and energy associated therewith.”¹² Based on these generic definitions, the term can describe everything from billiard balls rolling around on a pool table to a C-17 aircraft jetting through the air to a bullet being fired at a military target. Colloquially, however, the term is used amongst those in the defense and military communities as one that distinguishes certain types of military operations from other types of military operations. *Kinetic* operations involve the employment of physically destructive weapons to achieve a physically destructive effect. An F-16 Fighting Falcon jet aircraft engaging an enemy outpost with a GPS-guide Joint Direct Attack Munition, for example, is a quintessential example of a kinetic operation. Distinct from operations that involve the motion of material bodies but are not characterized as *kinetic*, like humanitarian relief operations that might involve the transport of refugees and supplies via ‘moving bodies’ like aircraft, *kinetic* in the vernacular signifies death and destruction, physically tangible effects, resulting from physical military action or means.

¹¹ *Oxford English Dictionary Online*, British and World Version (Oxford: Oxford University Press, 2013), s.v. “kinetic.”

¹² *Merriam Webster Dictionary Online*, s.v. “kinetic.”

The term most recently received attention when used by the Obama Administration to describe the US Military activities taking place in Libya in 2011. Deputy National Security Advisor Ben Rhodes characterized US operations as “protecting the Libyan people, averting a humanitarian crisis, and setting up a no-fly zone,” which “involves kinetic military action...”¹³ Although the press spun the use of the term into a political maneuver to avoid describing US involvement in a *war* in Libya, that fact is that the administration officials used the term correctly. The administration might have authorized military operations to ameliorate the humanitarian crisis, for example, or use information operations to influence the rebel fighters or resistant government. In other words, the national leaders might have leveraged the non-kinetic capabilities of the US Military for the Libya effort, but instead chose to rely primarily, at this phase in the campaign, on kinetic military operations.

The Obama Administration was not the first to use the term *kinetic* to describe physically destructive military activities and effects. Bob Woodward describes deliberations by the Bush Administration in *Bush at War*: “For many days the war cabinet had been dancing around the basic question: how long could they wait after September 11 before the U.S. started going kinetic, as they often termed it, against Al Qaeda in a visible way? The public was patient, at least it seemed patient, but everyone wanted action. A full military action—air and boots—would be the essential demonstration of seriousness—to bin Laden, America, and the world.”¹⁴

As non-kinetic military capabilities become more advanced, there is an increasingly greater need to distinguish between kinetic and non-kinetic means and effects. The Bush Administration sought physical destruction in retribution for the 9/11 attacks via the use of military force. Yet, as technology evolves and brings additional capabilities into the military’s repertoire, and as the military’s understanding of information operations evolves, there will be an increasingly greater need to distinguish these activities from the *kinetic* activities that typified Industrial-Age warfare. As the Stuxnet cyber worm demonstrated, the state now possesses non-kinetic means to achieve

¹³ Byron York, “White House: Libya Fight is Not War, It’s ‘Kinetic Military Action,’” *Fox Nation*, March 23, 2011, <http://nation.foxnews.com/libya-war/2011/03/23/white-house-libya-fight-not-war-its-kinetic-military-action>.

¹⁴ Bob Woodward, *Bush at War* (NY: Simon and Schuster, 2002), 150.

kinetic effects; in this case, the use of a computer code to achieve the destruction of a thousand uranium centrifuges.¹⁵ Such means (non-kinetic yielding kinetic effects) constitute a small portion of national and military capabilities at present, and are not included in the scope of the definition of the term *kinetic* in this study. Even then, some might argue a computer worm *is* kinetic based on the general definition; the human programmer that types the code into the machine, or the transmission of data across fiber optic lines, for example, involve the motion of material bodies and energy. To some degree, all *activity* is partially kinetic, even if the action is not visible. Light is the movement of electromagnetic radiation in waves or particles across space, which consists of other waves and particles that interact with light. In common military and defense usage, however, the term *kinetic* does not connote such comprehensive concepts of motion. Instead, *kinetic*, then, refers to the employment of deleterious, destructive, or lethal military capabilities to achieve some degree of physical destruction or non-reversible harmful effect. Non-kinetic means to achieve non-kinetic effects are classified in this study as distinct from kinetic means to achieve deleterious, destructive, or lethal kinetic effects. A *kinetic* culture, therefore, signifies the artifacts, espoused beliefs and values, and underlying assumptions that prioritize or value *kinetic* means and effects, deliberately or unintentionally, over non-kinetic means and effects in support of military and national objectives.¹⁶

Methodology

To characterize the culture of the Department of Defense as kinetic, this study will examine the Department's central warfighting concepts, policy, and budget priorities. Thomas Szayna et al indicated in their 2007 RAND report on civil-military relations that civil-military differences will manifest themselves in the capabilities fielded by the armed forces and conceptions about the uses of the military, as reflected in myriad defense strategic planning documents (e.g. National Military Strategy, Joint Planning

¹⁵ David Sanger, "Obama Order Sped Up Wave of Cyberattacks Against Iran," *New York Times*, June 1, 2012, http://www.nytimes.com/2012/06/01/world/middleeast/obama-ordered-wave-of-cyberattacks-against-iran.html?pagewanted=all&_r=0.

¹⁶ Edgar Schein, *Organizational Culture and Leadership*, 4th Ed. (San Francisco: Jossey-Bass, 2010), 24.

Documents, Joint Strategic Capabilities Plan, etc) and budget guidance.¹⁷ Based on the identification of the potential for civil-military policy disagreement over these concepts, this study will investigate these areas. First, the concept of full-spectrum military operations, a requirement identified by the National Military Strategy for the Joint Force, will be analyzed relative to its interpretation by senior operational military commanders. Next, this study will discuss the Department's concept of war and vision for the future force, as revealed in Capstone Concept for Joint Operations: Joint Force 2020. Parts of the Fiscal Year 2013 Defense Budget will be analyzed to make the case that non-kinetic means do not rank high on the list of developmental priorities. Finally, the organizational culture constructs offered by Carl Builder and Edgar Schein will aid the interpretation of this analysis by offering insights on the relationship of culture to organizational priorities and by revealing how culture reflects organizational preferences.

Next, this study will explore Peter Feaver's agency theory as the mechanism for cultural transfer between the civilian principals and the military agents.¹⁸ The strategic interaction that occurs between principal and agent during the national security policy process is a bargaining process whereby actors' preferences are translated into policy.¹⁹ Drawing on the work of Thomas Szayna et al at RAND, the bargaining process will be disaggregated into five phases: initiation, formulation, ratification, implementation, and monitoring.²⁰ Szayna et al further break down the primary features of the bargaining process into three components: the distribution of actor's preferences on issues, the salience of those issues, and the capabilities available to influence the decision outcome.²¹ Of these three features, the agent's preferences will be developed in the first part of the study, which seeks to establish the cultural basis for kinetic operational preferences. The preferences of the civilian principal will be considered relative to those of the agent in the bargaining process, as either similar or dissimilar, since the object of

¹⁷ Thomas Szayna, Kevin McCarthy, Jerry Sollinger, Linda Demaine, Jefferson Marquis, Brett Steele, *The Civil-Military Gap in the United States: Does It Exist, Why, and Does It Matter?*, (Santa Monica, CA: RAND Corporation, 2007), 32.

¹⁸ Peter Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University, 2003).

¹⁹ Thomas Szayna et al, *The Civil-Military Gap in the United States*, 26.

²⁰ The 2007 RAND report on civil-military relations characterized four of the five stages of the policy-making process, which I modified to include the formulation stage not reflected in the RAND construct. Szayna et al, *The Civil-Military Gap in the United States*, 23-24.

²¹ Szayna et al, *The Civil-Military Gap in the United States*, 27.

the study is to determine how the *agent's* culture shapes policy decision outcomes. With regard to the second feature, salience, this study will characterize the salience of issues as "high" for both actors and held constant throughout the stages of the policy process. This study is concerned with high-stakes decisions regarding national security policy and the use of military force, and therefore is likely to be considered highly salient to both policy-makers and military leaders. Finally, the capabilities available to influence decision outcomes will be measured in terms of which actor is favored by information asymmetry. Both the principal's and the agent's capabilities to influence the decision outcome varies according to the degree of information asymmetry that occurs for the specific policy issue in a given stage of the policy process. For example, if information asymmetry favors the military agent, then the agent's capability to influence the decision outcome is greater. Information asymmetry is an appropriate gauge of informal influence within the principal-agent framework for two reasons. First, the military acknowledges enduring legal subordination to the civilian principle, making the locus of formal and ultimate decision-making control a civilian matter. Information asymmetry is one of few means available to the military agent to informally influence decision outcomes that are formally retained by the civilian principal. Second, the iconic principal-agent problems of adverse selection and moral hazard are exacerbated by high degrees of information asymmetry that favors the agent. In the case of adverse selection, the civilian principal has difficulty determining the true preferences of the agent; the informational advantage favors the agent and disadvantages the principal.²² Moral hazard similarly favors the agent, as the principal is challenged to determine how the agent is acting. The military's primary function of protecting the nation is especially difficult to observe, thereby making it difficult for the principal to determine if the agent is working or shirking.²³ Wartime performance may also be difficult to measure, if the measures of effectiveness themselves are determined by the military agent, if fewer means for monitoring or punishment are available, or if the costs of doing so are unreasonably high.

By investigating the three features of the bargaining process—preference similarity, salience, and capabilities to influence policy outcomes (measured in terms of

²² Peter Feaver, *Armed Servants*, 73.

²³ Peter Feaver, *Armed Servants*, 75.

information asymmetry advantage)—this study seeks to identify the informal decision-making control level (high or low) for both principal and agent in each stage of the policy process. [The decision-making control level will indicate the dominance of an actor’s preferences in each stage of the policy process.] (See Figure 1.) Although Szayan et al indicate that the “decision control rights are made up of ratification and monitoring...and belong to the hierarchically established superiors,” and distinguish between “decision control” and “decision management” rights, for the purposes of this study, only decision-control rights will be discussed. The principal-agent construct acknowledges decision control is delegated from a superior to a subordinate to some degree, resulting in the agency problem.²⁴ Regardless of whether decision control is formally the prerogative of the principal, the agent still exerts influence over the collective outcomes in the bargaining process, so the use of an additional term to describe this influence is unnecessary. Formal decision control may not result in the policy outcome desired by the actor who holds it, depending on where in the policy process that control occurs. Furthermore, formal decision control may not offset the informal control offered by information asymmetries, specialization, and competence.

In stages where the military agent has a high level of decision-making control, there is a significant potential for preferences determined by organizational culture to shape decision outcomes. The earlier in the policy-making process the military actor’s decision-making control level is high, then the greater probability that the military actor’s preferences determine the range of acceptable outcomes from which the ultimate policy decision will be selected. In stages where the military exerts a low degree of decision-making control, there is a lower probability that the military’s culture significantly shapes the policy decision outcome. The later in the policy process an actor wields a high level of decision control, the more unlikely it is that the actor’s preferences will manifest in the decision outcome. (See Figure 2.)

²⁴ Peter Feaver, *Armed Servants*, 55.

	Notional Informal Decision Control Level Assessment				
	Info Asymmetry Favors	Preference Similarity	Mil Decision Control	Civ Decision Control	Outcome
Combination 1	Mil	Similar	HIGH	LOW	Mil Preference
Combination 2	Civ	Similar	LOW	HIGH	Civ Preference
Combination 3	Mil	Dissimilar	HIGH	LOW	Undetermined
Combination 4	Civ	Dissimilar	LOW	HIGH	Undetermined

Figure 1. Notional Informal Decision-Control Level Assessment

Source: Author's own work

	Notional Informal Decision-Control Level by Stage				
	Initiation	Formulation	Ratification	Implementation	Monitoring
Military	HI	HI	LOW	HI	LOW
Civilian	LOW	LOW	HI	LOW	HI

Figure 2. Notional Decision-Control Level by Stage

Source: Author's own work

Finally, this study will seek to demonstrate the influence of kinetic culture on policy through case-study analysis. By applying the aforementioned framework to the national security policy developed in response to the attacks of September 11th, 2001, this study will seek to identify the informal decision-control level by stage and actor. The factors of information asymmetry and preference alignment will be evaluated for each of the five stages of the policy process, with the intent to establish how actor preferences were aligned in each stage and which actor group had the advantage in shaping policy according to their preferences. The hypothesis is the Department of Defense preference for kinetic operations will substantially shape the national security policy decisions made immediately following 9/11. Ultimately, the application of the framework to the case study should reveal *if* and *how* the kinetic culture of the Department of Defense shapes

national security policy outcomes. The case study should also reveal the degree to which the preferences of the Department of Defense were kinetic, and if this kinetic preferences was unique to the Department. Finally, the case study should establish if agency theory is a useful construct for analyzing the impact of cultural preferences on policy outcomes.

Level of Analysis

The Department of Defense was selected as the appropriate level of analysis for this study, based on the intent to examine the influence of its organizational culture on national security policy. While the Department of Defense includes civilian leadership that may or may not have military experience in their professional backgrounds, these civilians are charged to represent the organizational interests of the department, as configured under the 1949 Amendment to the National Security Act of 1947.²⁵ By law, the Secretary of Defense is the civilian head of the Department of Defense, in addition to being the principal assistant to the President in all matters relating to the Department.²⁶ As such, the Secretary of Defense is closely integrated into the organizational, fiscal, functional, and legal aspects of the department, making his post virtually indivisible from that of the department. At the *national* level, therefore, the Secretary of Defense plays the role of agent in the principal-agent relationship, and the President plays the role of the principal, as the Secretary's only superior. Hence, the civil-military divide in the national policy-making process primarily resides in the seam between the Department of Defense, represented by the Secretary, the other Cabinet-level appointees, and the President himself. On the other hand, the Secretary is the senior civilian responsible for the functioning of the Department of Defense, and delegates authority to military subordinates who specialize in the military arts. In this sense, the Secretary of Defense also plays the role as civilian principal to the military agent *within* the Department of Defense. Consequently, the Secretary acts as both principal and agent, becoming a sort of membrane through which cultural norms may be transferred.

²⁵ Whittaker, Alan G., Brown, Shannon A., Smith, Frederick C., & McKune, Elizabeth (2011). *The National Security Policy Process: The National Security Council and Interagency System*. (Research Report, August 15, 2011, Annual Update). Washington, D.C.: Industrial College of the Armed Forces, National Defense University, U.S. Department of Defense, 49.

²⁶ Secretary of Defense. U.S.C. 10 Section 113.

The civilian presence within the Department of Defense, in addition to that of the Secretary, is widespread. Civilian employees of the Department of Defense number approximately 770,000 personnel, in addition to political appointees and contractor personnel, representing 48% of the Total Force mix.²⁷ Many of these civilians possess prior military experience or maintain positions within the Department of Defense for significant periods of time, with the ultimate effect of exposing them sufficiently to the organizational culture so as to reflect priorities and preferences accordingly. As a result, this study will consider civilians within the Department of Defense as representative of the organizational culture of the Department, and make the assumption that the primary civil-military divide exists between the Department and civilians external to the Department.

²⁷ Curtis Copeland, “The Federal Workforce: Characteristics and Trends,” Congressional Research Service Report, April 19, 2011, 7-5700, RL34685, http://assets.opencrs.com/rpts/RL34685_20110419.pdf. Total Uniformed Service Member figures in 2011 were 1,583,000 according to the Office of Personnel Management. Office of Personnel Management, Data, Analysis & Documentation: Federal Employment Reports, 2011, <http://www.opm.gov/policy-data-oversight/data-analysis-documentation/federal-employment-reports/historical-tables/total-government-employment-since-1962/>.

CHAPTER 2

The Kinetic Culture of the Department of Defense

You [military professionals] must know something about strategy and tactics and logistics, but also economics and politics and diplomacy and history. You must know everything you can know about military power, and you must also understand the limits of military power. You must understand that few of the important problems of our time have, in the final analysis, been finally solved by military power alone.

—John F. Kennedy

Imagining a kinetic culture in the U.S. Department of Defense does not present a significant cognitive hurdle. The Department of Defense is organized to provide for the defense of the nation, and the means to provide such defense requires the use of kinetic effects. The National Security Act of 1947 established the Secretary of Defense to coordinate the activities of the National Military Establishment with other departments and agencies related to national security. The Act specifically directs the development of an Army, Navy, Marine Corps, and Air Force organized, trained, and equipped for “prompt and sustained combat” incident to the appropriate domain.¹ The legal mandate of the Department of Defense therefore requires that kinetic means be retained for the ends of combat. Acknowledging that this legal prescription necessarily inclines the Armed Forces toward the maintenance of a robust kinetic capability ranging the spectrum of operations is unassailable. What becomes problematic is the conception of the spectrum of operations as being monopolized by kinetic means, to the exclusion of effective, non-kinetic operations. President Kennedy’s insights reflect the imperative for military professionals to understand the relationship between military power and informational, economic, political and technological power, lest they rely too heavily on military power exclusively or in its most singular conception: kinetic means employed in pursuit of kinetic effects.

Synonymity: Full-Spectrum Operations are Kinetic

The National Military Strategy of 2011 indicates that the Joint Force will be capable of full-spectrum operations, suggesting that U.S. military forces will be

¹ Act of July 26, 1947. Public Law 80-253, 61 Stat. 495 (1947).

sufficiently prepared to conduct operations across the phases of planning and the lines of operation that characterize each phase.² Yet what if the full spectrum of operations is conceived of with respect to varying types and degrees of kinetic means and effects? As U.S. Army Major General Peter Chiarelli, commander of the 1st Calvary Division, and Major Patrick Michaelis, squadron operations officer in the 1st Calvary Division, wrote in 2005:

The traditional military training model prepared me to win our Nation's wars on the plains of Europe, or the deserts of the Middle East. I envisioned large, sweeping formations; coordinating and synchronizing the battlefield functions to create that 'point of penetration;' and rapidly exploiting the initiative of that penetration to achieve decisive maneuver against the armies that threatened the sovereignty of my country. But in Baghdad, that envisioned 3-decade-old concept of reality was replaced by a far greater sense of purpose and cause. Synchronization and coordination of the battlespace was not to win the war, but to win the peace....Although trained in the controlled application of combat power, we quickly became fluent in the controlled application of national power. We witnessed in Baghdad that is was no longer adequate as a military force to accept classic military modes of thought.³

Chiarelli and Michaelis' confessions reveal the conventional military mentality and reflect the training culture that emphasizes fires and maneuver to mass force at the decisive point. The emphasis reflects an enduring concern with Clausewitzian and Jominian concepts about the nature of war and warfare, to include the idea that war is a contest of wills through violence, and that amassing force at the decisive point is the key principle of warfare. These concepts are overwhelmingly concerned with the application of force to achieve the ends of policy; in other words, the predominance of kinetic effects in warfare.

When Task Force Baghdad shed its conventional military force-application paradigm in mid-2004, the task force determined that full-spectrum operations actually consisted of five equally balanced, interconnected lines of operation, of which kinetic operations was only one: combat operations, train and employ security forces, enable

² Chairman of the Joint Chiefs of Staff. The National Military Strategy of the United States of America 2011: Redefining America's Military Leadership. February 8, 2011.

³ Major General Peter Chiarelli and Major Patrick Michaelis, U.S. Army, "Winning the Peace: The Requirement for Full-Spectrum Operations," *Military Review*, July-August 2005, 4.

essential services, promote governance, and facilitate economic pluralism, each with a robust information operations capability that achieved the effect of a sixth line of operation.⁴ The experience of Task Force Baghdad suggests that the full-spectrum-operations paradigm the U.S. Military has been employing is a misnomer that reflects the pervasiveness of a kinetic culture in the Joint Force.

The Future's in the Rearview Mirror: War is Physical Violence

That the Department of Defense remains mired in legacy thinking about the role of physical violence in war is evidenced in the latest publication by the Joint Chiefs of Staff, the Capstone Concept for Joint Operations: Joint Force 2020. According to the Capstone Concept, “much of the nature of conflict in the world is enduring. War remains a clash between hostile, independent, and irreconcilable wills each trying to dominate the other through violence.”⁵ The suggestion is that the contest of wills is primarily enacted through *physical* violence, not through alternative means of subjugating the enemy’s will. Clausewitz does not leave this characterization of war’s nature unclear: “Force—that is, physical force...is thus the *means* of war; to impose our will on the enemy is its object.”⁶ The Capstone Concept reflects continuity with the Clausewitzian conception of the nature of war being primarily manifest in the use of kinetic means for violent ends.

The Capstone Concept not only reflects a Clausewitzian conception of the nature of warfare, but also acknowledges its inevitability. Noting the dynamic and uncertain security environment the Joint Force of 2020 faces, the document indicates, “Armed conflicts will be inevitable in such an environment...”⁷ Admittedly, the Joint Force must prepare to meet security challenges across a spectrum of uncertainties that include armed conflict, yet such preparations need not convey an inevitability to their occurrence. Theoretically, according to the civil-military subordination construct the United States Government employs, the decision for conflict should not be decided by military agents, but by their civilian principles.

⁴ Chiarelli and Michaelis, “Winning the Peace,” 4, 7.

⁵ Joint Chiefs of Staff. Capstone Concept for Joint Operations: Joint Force 2020. 10 September 2012, 1.

⁶ Carl von Clausewitz, *On War*, ed. and trans. Michael Howard and Peter Paret, (Princeton, NJ: Princeton University, 1984), 75.

⁷ Joint Chiefs of Staff, Capstone Concept for Joint Operations, 2.

The Capstone Concept also admits to an increasingly important role for space and cyberspace, but only as they relate to the military's use of force.⁸ These two domains are identified as prominent in the projection of military force, and are considered as enabling and enhancing armed combat in all of the warfighting domains. In other words, the non-kinetic effects provided by space and cyberspace are not conceptualized as constituting military operations, but instead as support for the use of force, augmenting kinetic effects.

Continued evidence that the Joint Force is conceived of in terms of the kinetic capabilities it offers is provided in the Capstone Concept discussion of “globally integrated operations.” The strength of the Joint Force is admitted to lie in its ability to project decisive military force.⁹ Non-kinetic capabilities, lumped into what the Capstone Concept calls “flexible, low-signature or small footprint capabilities such as cyberspace, space...and intelligence, surveillance and reconnaissance” will become more fully integrated in order to increase combat power.¹⁰ Although the document acknowledges the increasing role these non-kinetic elements will play in future military operations, transitioning them from “adjuncts” to “integral parts” of combat operations, they are still considered to offer enhancements to conventional combat power.¹¹ The non-kinetic capabilities are never purported to have a unilateral or supported role to play, instead continuing to be characterized as inferior in their ability to achieve the securitizing, stabilizing, or dominating effects of conventional military force.

That conventional military force, the Joint Chiefs acknowledge, will require precision application, in an effort to manage the second- and third-order effects made visible by a transparent information environment. Consideration of the secondary and tertiary effects will not preclude a sufficient response by the U.S. military against a determined adversary, however, which, according to the Capstone Concept, “usually will require extensive physical destruction.”¹² The indication of the need for overwhelming force against a determined adversary reinforces the suggestion that the U.S. military establishment continues to conceive of warfare as necessitating the use of force to achieve the ends of policy. Kinetic weapons serve as the chief military means of

⁸ Joint Chiefs of Staff, Capstone Concept for Joint Operations, 2.

⁹ Joint Chiefs of Staff, Capstone Concept for Joint Operations, 4.

¹⁰ Joint Chiefs of Staff, Capstone Concept for Joint Operations, 7.

¹¹ Joint Chiefs of Staff, Capstone Concept for Joint Operations, 7.

¹² Joint Chiefs of Staff, Capstone Concept for Joint Operations, 7.

providing this force for the policy makers, even in the face of intense budgetary pressures.

Budgeting for Non-Kinetic Effects: Is there a Needle in this Haystack?

Scouring the fiscal year 2013 Defense Budget reveals that identifying funding for *non-kinetic* means is difficult. In many cases the analysis offers only the comparison of dissimilar objects; overseas contingency operations funding to the base budget; personnel costs to procurement costs; health care funds to operational funds. A review of the force structure changes planned for fiscal year 2013 through 2017 indicates significant cuts will be made to kinetic combat capabilities: eight Brigade Combat Teams, seven Navy cruisers, five Marine Corps infantry battalions, and six combat Air Force fighter squadrons. Yet, if the preponderance of resources lay in kinetic capabilities, then these cuts do not signify a diminished priority for kinetic capabilities. The 2013 Defense budget plans for improvements to force capabilities predominantly via kinetic means (see Figure 3) that total \$61B in fiscal year 2013 and more than \$310B over the Future Years Defense Program 2013-2017. As Figure 3 illustrates, the Defense Budget does not reflect an exclusive investment in kinetic capabilities; cyber and space constitute two costly and significant capabilities areas that preponderantly provide non-kinetic effects, although their functionality often enables kinetic effects (e.g. precision navigation and timing for weapons systems and weapons employment).

Service	Name	Type	Kinetic (Y/N)	\$B FY2013	\$B FYDP (2013-2017)
Army	Warfighter Info Network	Tactical Communications	Y	0.9	6.1
Army	Ch-47 Chinook	Utility Helo	Indirect*	1.2	5.7
Army	Stryker Vehicle	Mobility & Fires Vehicle	Y	0.3	0.5
Navy	Virginia-class Submarines	Attack Submarines	Y		
Navy	Block 5 Payload Module	Submarine Strike Capacity	Y		
Navy	Aegis Destroyers	Destroyer	Y		
Navy	Littoral Combat Ship	Littoral Combat	Y		
Navy	Joint High Speed Vessel	Mobility	Indirect*		
Navy	CVN-21-class Carrier	Aircraft Carrier	Y		
Navy	Afloat Forward Staging Base	Mobile Landing Platform	Indirect*	0.038	N/A
Navy	F/A-18 E/F	Combat Aircraft	Y	2.2	3.5
Navy	EA-18G	Electronic Attack	Y	1	1.1
Navy	Small Tactical UAS	ISR, Target Acquisition	Indirect*	0.032	0.3
Air Force	Cyber Capabilities	Attack, Defense, ISR	N**	3.4	18
Air Force	Space Capabilities	Various	N	8	40
Air Force	Next Generation Bomber	Bomber Aircraft	Y	0.3	6.3
Air Force	NATO Ground Surveillance System	Airborne ISR (RPA)	N	0.2	0.9
Air Force	Strategic Deterrence	Nuclear Triad	Y	2.7	25.1
DoD	Missile Defense	Multiple	Y	9.7	47.4
DoD	Science & Technology	Research & Development	N	11.9	62
DoD	Chemical-Biological Defense	Multiple	N	1.4	7.6
DoD	Cooperative Threat Reduction	Counter-Proliferation	N	0.5	2.3

Figure 3. Fiscal Year 2013 Defense Budget Capability Improvements

*Platforms or capabilities that are used primarily for support of kinetic operations are annotated as "Indirect" to reflect this connection.

**Cyber attack does provide the option for kinetic kill, as demonstrated by the Stuxnet virus, but this type of employment is rare.

Source: Office of the Undersecretary of Defense (Comptroller)/Chief Financial Officer. U.S. Department of Defense Fiscal Year 2013 Budget Request. February, 2012.

In fiscal year 2013, the degree of specificity for non-kinetic systems is notably lower than that of kinetic systems. The budget breaks out capabilities improvements by weapons system for the major weapons systems, yet cyber and space capabilities are

amalgamated into more generic categories. Certainly this partially reflects the classified nature of some of the systems, as well as the diversity of systems and cross-domain support they provide. Even so, the glaring lack of specificity in the non-kinetic capabilities probably also reflects a lack of familiarity with their major components by the larger force, their lack of development into more highly specified capabilities, and the continued fixation on distinct, numerable weapons, not capabilities. The Fiscal Year 2013 Defense Budget reflects DoD's continued fixation on kinetic weapons systems, which offer a tangible and evocative icon of modern military force.

Finally, the capabilities improvements planned for the Future Years Defense Program do not reflect any substantial investment in information operations capabilities. This may be a result of the confused concepts and terminology framing information operations that prevent clear alignment with an identifiable budget line item, but the omission also likely reflects the perceived role non-kinetic operations play in military operations. The subordination of non-kinetic operations as auxiliary to “real” military operations results from a culture that so closely associates military activity to kinetic action that the two are indivisible.

Kinetic Culture: Who We Are and What We Do

The perception that military operations are constituted by kinetic operations is significant because it biases military leadership toward certain activities on the spectrum of operations, to the exclusion of others, and because it perpetuates value hierarchies that influence the shape and direction of the organization. Carl Builder importantly points to the institutional power of the American military services and their influence not just on their own organizations but also on the larger national security arena.¹³ The military institutions, Builder asserts, represent the most powerful institutions in that arena; consequently, their culture matters. These institutional “personalities,” unique to each of the military services, aid in understanding the important, enduring national security and

¹³ Carl Builder, *The Masks of War: American Military Styles in Strategy and Analysis* (Baltimore: Johns Hopkins University, 1989), 3.

military issues.¹⁴ More importantly, institutional cultures dictate the types of forces and weapons developed and acquired.¹⁵

The Department of Defense translates national strategic guidance into military capabilities, interpreting the requirements laid out in the National Security Strategy and, most recently, the Defense Strategic Guidance 2012, into the National Military Strategy, the Defense Budget, and innumerable publications such as the Capstone Concept for Joint Operations. During this process, the military service cultures are reflected in the ways and means identified to meet the national security ends identified. While this process will be examined in greater detail in Chapter 4, and with respect to its influence on national security policy, the link between military culture and the composition and type of forces and weapons it funds is germane to the analysis of the concepts captured in the Capstone Concept, as well as in the 2013 Defense Budget.

On a more generic level, Edgar Schein's insights into organizational culture reinforce Builder's assertion that institutional cultures are reflected in the character of forces and weapons. Schein indicates there are six mechanisms organizational leaders use to embed conscious and unconscious values into their organization, two of which are crisis response and resource allocation.¹⁶ Crises are particularly revelatory, as the underlying assumptions, norms, and values of an organization are reflected in the management of the response.¹⁷ The learning process is intensified as a result of increased anxiety stemming from the crisis, which stimulates rapid and deep learning, transmitting cultural values in the process. Consequently, the lessons transferred as a result of crises can be considered a distillation of the organization's enduring cultural values. Resource allocation similarly reveals the underlying assumptions an organization embraces. The nature of an assumption is distinct from that of a value, as Schein explains, in that the assumption reflects an idea that has become invisible amongst competing alternatives, whereas a value reflects the preferred outcome amongst those alternatives.¹⁸ The organizational consensus over an underlying assumption is so widespread that the members of the organization do not even consider challenging it; it

¹⁴ Builder, *Masks of War*, 4.

¹⁵ Builder, *Masks of War*, 7.

¹⁶ Schein, *Organizational Culture*, 236.

¹⁷ Schein, *Organizational Culture*, 243.

¹⁸ Schein, *Organizational Culture*, 28.

has become a part of the cognitive fabric of the organization. The human desire for cognitive stability compels individuals to avoid investigating assumptions because that investigation undermines individuals' ability to reduce anxiety, destroying the cognitive model to which they've grown accustomed.¹⁹ The human mind desires cognitive consonance to such a degree that it will interpret information according to the assumptions embedded in its cognitive model, even if that interpretation is flawed.²⁰ The connection between assumptions and culture is that culture reflects shared and mutually reinforced assumptions.²¹

The Capstone Concept and 2013 Defense Budget reflect both of Schein's embedding mechanisms. According to the Chairman of the Joint Chiefs' foreword, the Capstone Concept sought to address the new security paradox of the future; a crisis of security paradigms, in other words. The 2013 Defense Budget similarly reflected the Congressionally imposed requirement to transition from a robustly funded, wartime readiness posture to a peacetime posture premised upon severe fiscal austerity. The swiftness and severity of the cuts threaten America's readiness to the degree that the Secretary of Defense indicated they would "turn America from a first-rate power into a second-rate power," and have been characterized as an unacceptable risk to U.S. national security by fifty-five national security figures.²² Furthermore, the 2013 Defense Budget also clearly represents an example of resource allocation, with its attendant revelations of underlying assumptions.

Based on the review of the Capstone Concept and the 2013 Defense Budget, what hypothesis can be generated about DoD's kinetic culture? First, kinetic operations are considered constitutive with respect to the role and function of the military; the military's role is to provide physical security for the United States through kinetic means. The nature of conflict inherently involves the use of physical violence, and that violence can only be assuredly defeated through the use of superior physical force. The Capstone

¹⁹ Schein, *Organizational Culture*, 28-29.

²⁰ Robert Jervis, *Perception and Misperception in International Politics* (Princeton, NJ: Princeton University, 1976), 144.

²¹ Schein, *Organizational Culture*, 31.

²² Evan Moore and Patrick Christy, "Sequester Defense Cuts Would Undermine U.S. World Power, The Foreign Policy Initiative, February 14, 2013, <http://www.foreignpolicyi.org/content/sequester-defense-cuts-would-undermine-us-world-power>.

Concept specifically validates the idea that warfare is Clausewitzian in nature; that is, physically violent. The high level of investment in kinetic weapons systems in the 2013 Defense Budget reinforces this conceptual understanding of warfare. Second, DoD's kinetic culture is a causal factor in the military's legitimacy and longevity. In Western civilization, since the 15th century, kinetic operations have preponderantly been the domain of the state and have provided institutional legitimacy. Legitimacy is bolstered by perceptions of effectiveness, which are largely determined by the military itself when it translates national security ends into military ways and means. The Capstone Concept is one example of the military's translation of national security objectives into military ways and means, and clearly acknowledges an inevitability in armed conflict. The 2013 Defense Budget presents a more discrete example of how the military interprets national security ends, and what those ends signify in concrete military terms. Kinetic operations therefore become a self-perpetuating aspect of military culture that reinforces institutional legitimacy and ensures organizational longevity. Third, DoD kinetic culture reflects an underlying assumption that kinetic effects most reliably guarantee America's security interests. Kinetic effects constitute the *primary* means of achieving national security objectives, to the exclusion of non-kinetic means as chief or principal. The Capstone Concept reflects DoD's consideration of non-kinetic capabilities as becoming more heavily integrated into conventional operations, which reveals that they will remain non-constitutive. The absence of capability improvements in Information Operations in the 2013 Defense Budget, save those masked by the amalgamated capabilities included the Cyber category, appear to reinforce the exclusion of non-kinetic means from the constitutive military operations.

The Capstone Concept and 2013 Defense Budget are not meant to constitute the kinetic culture of the Department of Defense, but instead to provide representative indicators that substantiate the above hypotheses. There is an apparent logic that makes the suggestion of a kinetic culture in the DoD palatable; the history of warfare provides ample evidence that the nature of warfare is invariable, despite its changing means. The DoD thus prepares to rely upon the kinetic means that have proven so effective in the past, while hedging bets against a changed nature of warfare through a lesser investment in non-kinetic means. The risk of this approach lay in failing to recognize a changed

paradigm for warfighting in the Information Age, which presents a requirement for different control mechanisms than those used before the advent of cyberspace and the wide proliferation of information technologies. Fortunately, the Department of Defense is not alone in characterizing the nation's strategic circumstances and identifying new security paradigms—the national civilian leadership shares that burden. Does DoD's kinetic culture somehow poison the well, artificially and unnecessarily limiting the options available to national decision makers? The next chapter will review the cornerstone concepts of civil-military relations and how these concepts influence actors' policy preferences. Then this study will investigate the process whereby DoD's kinetic culture has the opportunity to manifest in national security policy.

CHAPTER 3

Civil-Military Relations

Military professionals often operate from a paradigm of war that shapes the most fundamental beliefs and attitudes of the officer corps, and the civilians whom they advise and inform about military affairs. One can see that paradigm most clearly by visiting staff colleges and other educational institutions. The portraits on the wall are those of great field commanders (the Pattons and Ridgeways) and the curricula include staff rides to the scenes of great battles such as Chancellorsville. ... All these do not prepare officers to take with equal seriousness the task of winning wars in which overwhelming force is often not the solution...

—Eliot Cohen

Eliot Cohen registers the distinct risk posed by the undue maintenance of conventional conceptions of warfare inappropriate to the age or the battle. More importantly, Cohen keys in on the transfer potential from military agent to civilian principal that the paradigm threatens. Understanding the dynamic between civilians and military is essential to determining how the military's culturally determined preferences for kinetic operations may shape foreign policy decisions. Absent differences in the military and civilian cultures, preferences, and perspectives, the policy-making process would not resemble bargaining as much as it would a proforma process of consent. Civil-military relations are important because they characterize the interaction between civilian statesman and military professional according to roles and responsibilities, provide the mechanism for cultural preferences to shape decision outcomes, and affect which actor's decision preferences will be more deterministic over the decision outcome. Civil-military relations scholars Samuel Huntington, Morris Janowitz, and Peter Feaver provide foundational identity- and interest-based theories that are useful in characterizing the civilian and military actors and the significance of the differences between them. These differences shape the degree to which preferences between actors are aligned, making it easier to carry dominant preferences forward through the policy process, or making it more difficult to develop a consensual decision. Civil-military differences are thus essential to identifying how influential one actor can be in the policy-making process and,

therefore, if an actor's culturally derived preferences can significantly influence policy decisions.

Huntington: Preference Barriers Based on Distinct Identities

Samuel Huntington explains that an effective system of civil-military relations in a state is important because it enables the appropriate balance to be struck between security and values.¹ Maximizing security in a manner not bound by social values translates into a police state, where privacy and freedom are sacrificed. Alternatively, the military must be strong enough to protect and defend the state, or its values cannot be secured. The tension between maintaining a military strong enough for state security but not so strong as to subvert its cultural values—which, in the case of the United States, includes the idea of objective civilian control over the military—plagues civil-military relations, and makes the differences between the two actors important.

Huntington bounds the domain of the military professional with concerns about the impact of policy choices on military security, excluding the military professional's consideration of the desirability of policies. The statesman relies upon the military professional to caution against policies that exceed the military capabilities available and to advise of the military resources required to meet policy objectives; in other words, the military aligns policy ends to military means. The military professional's role, according to Huntington, is to provide “passive, instrumental means.”² Huntington understands the military professional is going to have preferences, but these preferences should be informed by rational calculation of what is militarily feasible. For example, the military professional may favor preventive war over the insecurity posed by a threatening adversary. Yet, as Huntington explains, since war is a condition in which the state is at the height of insecurity, and since little is truly inevitable, war should be the last of options, and then only selected when the outcome is relatively certain.³ This is significant because it suggests, first, the military professional usually does not want to go to war, but only to prepare for it. The military's professional preference is not to wage

¹ Samuel Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: Harvard University, 1957), 2.

² Huntington, *The Soldier and the State*, 69.

³ Huntington, *The Soldier and the State*, 69.

war, generating a strong tendency to replace the “manifest function,” warring, with the “latent function,” preparing for war, so as not to dissipate the military’s power.⁴ Second, the military professional should present a pragmatic appraisal of the means-to-ends alignment, but one that is agnostic to the wisdom of the policy itself. The military professional’s preference, therefore, is only germane to the formulation of strategy insofar as it addresses *how* the military might support the policy, but not *if* the military should support it or *whether* the policy is in the state’s interest. The military professional’s preference not to war, therefore, is largely irrelevant and limited to considerations of the feasibility of success. If the statesman decides war is in the state’s interest despite the military professional’s recommendation against it, based on calculations of military feasibility, the military professional’s duty is to execute the policy nonetheless.

Commitment to execute policy contrary to the logic of military art requires a high degree of obedience on the part of the military professional. According to Huntington, obedience is the cornerstone of the military’s power because it enables the efficiency and surety required for military operations. Huntington writes of the goals of the military professional with regard to obedience: “His goal is to perfect an instrument of obedience; the uses to which that instrument is put are beyond his responsibility.”⁵ The author later clarifies, however, that there are exceptions for which the military professional must consider his responsibility beyond obedience. If the statesman treads on territory outside of the political domain, infringing on the professional prerogative of the military, by making decisions considered militarily incompetent and devoid of a higher policy purpose, then the military professional is justified in acting disobediently. In cases where the military professional is given direction by the statesman that he or she considers to be illegal and the statesman knows is illegal, then the military professional is justified in disobeying the orders of the statesman. If the military professional is given an order he or she considers unethical, however, the responsibility of the military professional is unclear, as an act according to individual conscience grates against the professional commitment to obedience and state interest. Instances of political folly, however, when

⁴ Huntington, *The Soldier and the State*, 69.

⁵ Huntington, *The Soldier and the State*, 73.

the military is directed to take action contrary to what the military considers prudent or in the interest of the state are subject to no such disobedience by the military professional.

The scope of perceived responsibility and the norms of obedience are critical factors that influence the level of decision-making control the military agent possesses within the framework of the principal-agent relationship. In this study, informal decision control in the policy-making process is determined by preference similarity, issue salience, and information asymmetry between civilian principal and military agent. The military agent's perceived scope and obedience norms inform the level of decision-making control through the variables of preference similarity and information asymmetry between the civilian principal and the military agent. The military's preference, as characterized by Huntington, is not to conduct war, but to prepare for war. When state policies thwart the military professional's ability to prepare for war, then, the military professional's and the statesman's preferences are at odds. By Huntington's characterization, the military professional rarely supports war, although his norms of obedience indicate he must support war if war is the policy of the state. According to the Huntingtonian model, a state's decision to war is fundamentally at odds with the military professional's preferences. This conclusion indicates that, with respect to the model employed in this study, the preferences of the military professional and the civilian statesman will rarely, if ever, be aligned during the initiation of the policy process when the policy issue is war. Further investigation is required to determine if there are instances during which these fundamental differences are overcome, paving the way for the policy preferences of the dominant actor (i.e. the actor with the highest decision-control level) to be manifest in the decision outcome.

Variance in the perceptions of the military professional's scope of responsibility and norms of obedience may also amplify information asymmetry between the military professional and her civilian principal. The military professional, for example, who believes it is within his professional responsibility to disobey the statesman's directive to use certain, less effective and more risky military means, because there appears to be no related policy imperative, may distort his characterization of the costs associated with the civilian's guidance. Indeed, the military professional may *perceive* the costs to be very high, and unintentionally distort the ramifications of the statesman's directive or, fearful

that the statesman has overstepped his competencies, intentionally relay the military consequences of obedience as intolerably high. Due to the information asymmetry favoring the military professional, who possesses a command of the military arts and the science of warfare, and who is privy to insider information by virtue of access to battlefield or unfiltered reports on battlefield activities, the military professional may intentionally or unintentionally shape that information according to the perceived bounds of her responsibility and according to her understanding of the norms of obedience. In essence, Huntington's approach to civil-military relations is ideational, contingent upon the thoughts of a distinct identity held by the military professional about himself and by the civilian statesman about the military professional.

From the perspective of the civilian statesman, the identity of the military agent as, one, professional, two, agnostic with regards to policy wisdom, and three, committed to hierarchical obedience, presents an actor of seemingly benign influence in the policy formulation process. Yet, as the military professional understands it, his professional identity also demands competence that requires occasional disobedience, and acknowledges the tension between preparation for war and war itself, which presents contradictory forces that potentially undermine the neutrality of the military professional vis-à-vis state policy. Ultimately, these preferential differences appear to indicate an irreconcilable, identity-based preference gap between the military professional and civilian statesman. This gap suggests that the military professional's preferences will rarely be aligned with the civilian statesman during the initiation stage of the policy-making process because the two actors are approaching the policy issue from distinct vantage points, each imbued with their own identity-based preferences.

In later stages of the policy process, the military professional's preferences may become aligned with the civilian statesman because the military professional gives primacy to the obedient subordination of the military to civilian superiors and to the boundaries of his professional domain regarding matters of policy. In terms of the unintentional transfer of cultural preferences from one actor to the decision outcome in the policy process, the identity distinctions Huntington poses serve as a barrier to such unintended influence. This barrier is dependent, however, upon each actor perceiving the

roles of the other to conform to Huntington's characterization. If identities differ from Huntington's formulation, then the barriers to preference transfer are diminished.

Janowitz: Convergence and Divergence of Civil and Military Spheres

Morris Janowitz, in his 1960 edition of *The Professional Solider*, writes of the increasing convergence between civil and military spheres that began during the interwar period as a result of the increasing mobilization of state resources toward the war effort. World War II served as both the peak of the convergence trend between civilian and military spheres and the point at which the organization of the military forces from thereafter was to move away from mass mobilization to a force "in being."⁶ As nuclear weapons became the cornerstone of deterrence policy, the overlap between civilian and military domains began to dissolve, with nuclear weapons obviating the need for a massive mobilization force. The final use of the draft for the Vietnam War perhaps signaled the end of significantly commingled military and civilian spheres, although at the time of Janowitz's update to *The Professional Soldier*, this was not yet apparent. Janowitz argues the military establishment did not return to a pre-World War I socially distinct force despite the end of massive mobilization in the decades following World War II, due to the inextricable mingling of politics, technology, and education between civilian and military affairs.⁷

In his analysis of the convergence of civilian and military spheres, Janowitz addresses the changed social origins of the military professional, identifying a transition from an elite demographic to one more demographically representative of the larger society.⁸ With that transition came the diversification of social and political perspectives within the military profession. Janowitz claimed the two competing theories governing the use of military forces for political ends did not reflect the warfare expertise of the military professional, but instead America's core political and social values. This effect stemmed from the increasingly socially representative composition of the military.⁹ Social diversification led to more varied perspectives on the use of military forces and the

⁶ Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (NY: Free Press, 1971), ix.

⁷ Janowitz, *The Professional Soldier*, x.

⁸ Janowitz, *The Professional Soldier*, 90-93, 101.

⁹ Janowitz, *The Professional Soldier*, 264.

military operations-to-policy nexus, which Janowitz characterizes as “absolute” and “pragmatic.”¹⁰ In the absolutist camp, warfare is considered the currency of international relations, and the greater the degree of victory, the greater the opportunity for achieving political objectives. The pragmatics, on the other hand, conceived of warfare as only one of the available instruments to achieve policy objectives, and one that must be moderated appropriately for the specific policy outcomes desired. The adoption or development of one perspective over the other, Janowitz asserts, is a function of the military officer’s professional experience and education, but both reflect the increasing orientation of the military professional toward policy, a sphere heretofore the domain of the statesman.¹¹ The increasing interest of the military professional in civilian policy matters provides evidence of Janowitz’s main assertion that civilian and military spheres grew increasingly indistinct from the turn of the nineteenth to mid-century.

Although Janowitz updated his perspective on civil-military relations in 1971 to reflect a renewed distinction between their spheres of responsibility, exploring his convergence hypothesis is useful nonetheless, as it offers a foil to Huntington’s distinct-identity postulate. Furthermore, Janowitz’ convergence theory also presents a possible explanation for the transfer of the military’s culturally derived preferences to the decision outcome formally determined by the civilians. Despite Janowitz’s characterization of the civilian and military spheres as increasingly distinct in the post-World War II era, he clearly acknowledges the nature of warfare has changed to the degree that complete separation between these spheres is no longer possible, leaving the door open for military preferences to influence the civilian statesman to some degree, even if not to the degree possible during the era of massive wartime civilian mobilization. Alternatively, it is possible, despite the continued maintenance of an all-volunteer force, the rising quality of life for military members, their increasing education, and more widespread support for military personnel have eroded the social and organizational barriers between civilian and military populations, permitting recurrent convergence. With greater convergence between civilian and military spheres, then, fewer barriers exist to the influence of military preferences upon the decision outcome.

¹⁰ Janowitz, *The Professional Soldier*, 264.

¹¹ Janowitz, *The Professional Soldier*, 277.

Peter Feaver: The Cost-Benefit Calculus of Agency Theory

Peter Feaver developed agency theory to address a gap in the civil-military relations scholarship, which focused on the ideational, nonmaterial determinants of political actors' behavior.¹² In contrast to the identity-based arguments of Samuel Huntington and Morris Janowitz, Feaver strives for a rationalist approach that emphasizes material factors like the civilian principal's costs of monitoring the military agent and the military agent's perception of the probability and severity of punishment by the civilian principal.¹³ Feaver's agency theory approach is additive; it offers explanatory power that complements the primary assertions of both Huntington and Janowitz, and therefore provides further insight into how the culturally derived preferences of the military agent can influence the decision made by the civilian principal in the policy-making process.

Agency theory outlines the cost-benefit analysis that both civilian principals and military agents perform in their interactions with one another, offering an explanation for the actors' behaviors. These strategic interactions largely constitute the policy-making process, and so are of critical importance when considering how the culture of one actor (military agent) influences policy outcomes ultimately arbitrated and validated by the other actor (civilian principal). The strategic interaction between principal and agent serves as the primary means by which the military's culture may be deliberately or unintentionally transferred to the civilian principal, shaping the decision outcome. In order to better understand the how, we'll dissect the principal-agent construct and examine its constituent elements.

The problem of agency is not unique to the civil-military sphere. The construct is one borrowed from economics, in which the principal delegates authority to his agent but is challenged to ensure that the agent is actually working and not doing otherwise ("shirking"), or not giving the appearance of working while doing otherwise (also "shirking").¹⁴ A hierarchical environment characterizes the relationship; the principal maintains the authority over the agent and uses various mechanisms to control the agent. Feaver builds upon extant principal-agent scholarship that suggests monitoring causes

¹² Feaver, *Armed Servants*, 13.

¹³ Feaver, *Armed Servants*, 13-14.

¹⁴ Feaver, *Armed Servants*, 55.

agents to work, and a lack of monitoring causes shirking, which reduces the solution’s scope to effective monitoring. Alternatively, another strain of agency theory argues that a close alignment of an agent’s preferences to those of the principal will yield a more effective output by the agent.¹⁵ For Feaver, his modifications “blend elements of both strands, incorporating considerations of how agents are monitored and also the extent to which preferences of principals and agents converge.”¹⁶

In the strategic interaction between civilian principal and military agent, Feaver’s use of the term “shirking” constitutes failure by the military to work as the civilians have directed, perhaps due to specialized knowledge that may dispose them toward an alternative preference. Whereas in economics the incentives for principal and agent are substantially different from one another, the unique case of civil-military relations provides both actors with a common incentive to secure the state.¹⁷ Preferences on how security is achieved vary between civilian principals and military agents, although civilian principals may attempt to minimize divergence between preferences by promoting senior officers with similar ones.¹⁸ Nevertheless, preferences are one of the influential elements exogenous to the principal-agent relationship that shape the strategic interaction (i.e. how much “working” vice “shirking” occurs), the identification of the ways and means, and possibly the constitution of the ends, as well. The distinct roles of the civilian as principal and the military as agent prevent full convergence of the preferences of each actor in what Feaver terms a *de minimis* distinction; the agent’s role (i.e. self-interested worker) is distinct from that of the principal (i.e. self-interested delegator).¹⁹ In this respect, Feaver’s construct is similar to Huntington’s in its use of distinct identity elements, although Feaver uses the identities in their most minimalist formulation and only with respect to the principal-agent construct, not the civilian statesman and military professional.

Shirking consists of a spectrum of activities that range from intentionally disobedient or deviant behavior to unintentionally deviant behavior, when the military agent unintentionally transmits cultural preferences through the policy process to the

¹⁵ Feaver, *Armed Servants*, 56.

¹⁶ Feaver, *Armed Servants*, 56.

¹⁷ Feaver, *Armed Servants*, 59.

¹⁸ Feaver, *Armed Servants*, 59.

¹⁹ Feaver, *Armed Servants*, 56.

principal despite a clear understanding that the military's preferences do not reflect what the civilian wants in a specific instance. Shirking, as Feaver defines it, is "not doing something to the principal's satisfaction," whereas working is the opposite, or at least a "good faith effort to represent the principal's interests."²⁰ The fundamental goals of the civil-military problematique can be separated into two types: functional and relational. Civilians' desire to maintain their political control over the military is a *relational* objective, whereas civilians' need for the military to protect and defend the state is *functional*.²¹ The importance of the distinction between the two objectives becomes clearer as the subordinate objectives are disaggregated. (See Figure 4.) The military agent can potentially fulfill one of the objectives while undermining the other; the military may act to undermine long-term civilian control while performing its functional requirements in full faith.

Civilian Principal's Functional and Relational Goals for Military Agent
Functional Goal Disaggregated into Tasks
1. Is military doing what civilians ask it to do, to include instances when civilians have expressed a preference on both the "what" and "how" of a given action?
2. Is the military working to the fullest extent of its duty to do what the civilians asked it to do?
3. Is the military competent to do what the civilians asked it to do?
Relational Goal Disaggregated into Tasks
1. Is the civilian making key policy decisions (i.e. no de facto or de jure coup) and are those decisions substantive vice nominal?
2. Is the civilian the one who decides which decisions civilians would make and which should be left to the military?
3. Is the military avoiding any behavior that undermines civilian supremacy in the long term, even if it is fulfilling civilian functional orders?

Figure 4. Civilian Principal's Functional and Relational Goals for the Military Agent
 Source: Adapted from Peter Feaver, *Armed Servants, Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University, 2003), 61.

²⁰ Feaver, *Armed Servants*, 60-61.

²¹ Feaver, *Armed Servants*, 61.

The military agent's inclination to shirk vice work, Feaver asserts, is largely predicated on the perceived severity of punishment and the principal's costs of monitoring the agent's activities. At its extreme, monitoring can include reducing the span of delegated authority from the civilian principal to the military agent. Feaver asserts the civilian principal can retain all decision authority short of going to the battle himself.²² Typically, however, reduced delegation authority manifests in rules of engagement, standing orders, mission orders, and contingency plans, all of which serve to bound military decision-making autonomy and trigger informational inputs when those boundaries are violated or require changes.²³ On the other end of the monitoring spectrum lay contract incentives that offer monetary rewards for performance. While the economic aspect of these incentives does not translate well into the civil-military domain, the desire for organizational autonomy is an equivalent incentive. Hence, the military is incentivized to behave in a manner that avoids intrusive monitoring by the civilian principal, and that affords the organization greater autonomy. With greater organizational autonomy, the military agent can exploit the information asymmetry inherent in the principal-agent relationship, and particularly acute in civil-military relations, to advance the agent's preferences through the policy-formulation process.

Less extreme ends of the monitoring spectrum include mechanisms to control accession into military service, or into specific positions within the military organization, as well as third-party unofficial oversight. (For a full list of monitoring mechanisms, see Figure 5.) Feaver indicates civilian principals have less control over military personnel accessions as compared to principal-agent relationships in other sectors because the president does not possess the latitude to freely choose his most senior military commanders as he does his civilian appointees; he must choose amongst the eligible military officers.²⁴ Even so, Feaver acknowledges a considerable degree of civilian control exists over military officer accessions, all of which are approved by Congress, and from which senior military officers are selected for key advisory and leadership positions. Civilians retain the prerogative to select senior military officers whose preferences are more closely aligned with their own, if undesirable traits or preferences

²² Feaver, *Armed Servants*, 76.

²³ Feaver, *Armed Servants*, 77.

²⁴ Feaver, *Armed Servants*, 79.

have not already been eliminated via organizational culture pressures.²⁵ Third-party oversight can achieve similar effects on the military agent, inducing compliance or exerting pressure to conform to the preferences of the civilian principal. These “fire alarms” are set off by third-party actors, like the media, fellow military services, lobbyists, and think tanks, interested in the behavior of the military agent, and alert the civilian principal to instances of perceived shirking. All of the monitoring mechanisms exact costs from the civilian principal, some of which are direct, monetary costs, and others that take the shape of intangible costs to security, prestige, or political power.

Mechanisms for Civilian Oversight of Military (Least to Most Intrusive)	
Principal-Agent Monitoring Mechanism	Civil-Military Analog
Contract Incentives	Offer by Civilians to use Less Intrusive Monitoring in Exchange for Obedience
Screening and Selection	Skill Requirements for Entry into Military
	Loyalty Oaths
	Other Accession Instruments
	Professionalism
Fire Alarms	News Media
	Defense-Oriented Think Tanks
	Interservice Rivalry
Institutional Checks	Militia System and National Guard
	Interservice Rivalry
	Civilian Staffs in Congress
	Atomic Energy Commission
	Confirmable Civilian Secretariat
Police Patrols	Planning, Programming, and Budgeting System and the Budget Process
	Civilian Secretariat and the Office of the Secretary of Defense
	Restrictive Rules of Engagement
	Restrictive Standing or Mission Orders
	Limits on Delegated Authority
	Audits and Investigations
	Inspectors General
	Congressional Budget Office, General Accounting Office
Revising Delegation Decision	Intervening In Military Operation Already Delegated

Figure 5. Monitoring Mechanisms for Civilian Oversight of Military
 Source: Peter Feaver, *Armed Servants, Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University, 2003), 86.

²⁵ Feaver, *Armed Servants*, 80.

Punishment also provides means for the civilian principal to incentivize the military agent to work and not shirk. The tension between the power of the military agent relative to the civilian principal—not only in terms of military capabilities, but also in terms of legitimacy and influence—makes it more difficult for the civilian principal to shape behavior through threat of punishment. Feaver explains, however, that the military agent in democratic civil-military relations *allows* himself to be punished by the civilian principal, due to behavioral norms that accept the military agent's obedience to the civilian principal, and which serve as a foundational prerequisite for democratic civil-military relations.²⁶ The difficulty detecting shirking behavior, so that punishment may be imposed, is central to the generic principal-agent construct. Particular to civil-military relations, however, is the challenge of unambiguously assessing the military agent's behavior as shirking.²⁷ The nature and particularity of military operations make assessment by non-specialist civilian principals more subjective and ambiguous than in non-civil-military arenas. For example, the military agent's expert judgment on battlefield proportionality could easily mask intentional disobedience or shirking without triggering punishment, even when the behavior is known. Feaver is careful to clarify that the civilian principal, at least in a liberal democracy like the United States, retains the prerogative to interpret the military agent's ambiguous behavior as he sees fit. The punishment mechanisms available to the civilian principal fall into five broad categories, within which numerous options for punishment are available. (For a full list of punishment mechanisms, see Figure 6.)

²⁶ Feaver, *Armed Servants*, 90.

²⁷ Feaver, *Armed Servants*, 90.

Military Punishments Available to the Civilian Principal	
General Category	Examples
Restrictive Monitoring	Audits
	Mandatory Remedial Training
Material Disincentives: Current	Budget Cuts
	Restricting Liberty
Material Disincentives: Future	Discharge Prior to Earning Benefits
	Retirement Below Grade
	Loss of Retirement Privileges
	Dishonorable Discharge
Military Justice System	Nonjudicial Punishment
	Courts Martial
Extralegal Action	Verbal Rebukes
	Purges

Figure 6. Punishment Mechanism Available to the Civilian Principal

Source: Peter Feaver, *Armed Servants, Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University, 2003), 94.

Information asymmetry further complicates the principal-agent relationship, and much more dramatically in the case of civil-military relations than in economic applications.²⁸ A degree of information asymmetry is inherent to the principal-agent relationship because of the delegation of authority by the principal to the agent; the principal is agreeing to permit some degree of information asymmetry in exchange for the specialized work expected from the agent. The principal and agent share some information, but each is also privy to information that is not available to the other actor without intentional disclosure or monitoring. Either actor in the principal-agent relationship can exploit information asymmetries, but in the case of civil-military relations, the asymmetry favors the military agent for a variety of reasons.²⁹ This is not to suggest that the civilian principal does not also possess information that the military agent is not aware of; as political situations change, for example, the civilian principal may or may not choose to disclose changes to the military agent. But the military agent's technical competence and expertise in military operations and combat confer upon him an

²⁸ Feaver, *Armed Servants*, 69.

²⁹ Feaver, *Armed Servants*, 69.

informational advantage unavailable to the civilian, who, by definition, is not involved in warfare itself.

According to Feaver, another information-asymmetry challenge characteristic of the civil-military domain is the uncertain effectiveness of the military agent. Neither the civilian principal nor the military agent are certain that military operations will yield the desired outcome, but the military agent's uncertainty is less than the civilian principal's because his competence in military operations reduces the degree of uncertainty of the outcome.³⁰

Finally, Feaver highlights the moral legitimacy conferred upon the military agent by virtue of his willingness to make a mortal sacrifice on behalf of the civilian principal, which offsets the military agent's lack of competence in the area of politics. Whereas often in economic principal-agent applications the technical competence of the principal is considered to be *greater* than that of the agent, in civil-military application the technical competence of each actor is different, making an evaluation of the performance of the other actor difficult. In the case of the moral legitimacy of the military agent offsetting this competence differential, the military agent may have greater license to disobey the civilian principal's orders, even though the *de jure* responsibility to obey still exists.³¹

Feaver's principal-agent construct is important to understanding the variables that shape both information asymmetries and the capabilities to influence decision outcomes by both actors in the policy process. Civilian principals maintain a range of monitoring mechanisms with differing costs meant to variably intrude on the military agent's autonomy, mitigating information asymmetries that inherently favor the military agent, and conditioning the military agent's behavior to better align with the principal's preferences. Furthermore, the civilian principal possesses the legitimacy and authority, in a liberal democracy like that of the United States, to punish the military agent for behavior that the civilian principal considers shirking. These punishment mechanisms also foster behavior by the military agent that is consonant with the civilian principal's policies and preferences. On the other hand, the military agent enjoys favorable

³⁰ Feaver, *Armed Servants*, 70.

³¹ Feaver, *Armed Servants*, 72.

information asymmetries inherent in the generic principal-agent relationship and particularly acute in civil-military relationships. One significant aspect of these information asymmetries is the moral legitimacy conferred upon military agents ready to sacrifice their lives for civilian principals, which provides a *de facto* opportunity for shirking. Another key information asymmetry derives from the specialized expertise and competence in military operations, by definition, unique to military agents. These information asymmetries serve as a lever by which military agents offset intrusive monitoring, avoid punishment, and maintain preferences distinct from that of civilian principals. The strategic interaction anticipated in civil-military relations according to Feaver's agency theory, then, is one "particularly characterized by distrust and friction," and within which "any equilibria of delegation and control are unlikely to endure, giving way instead to new arrangements as costs and benefits shift."³²

Feaver's sentiment suggests, in line with Huntington, that a policy-making process between civilian principals and military agents will begin with substantially different policy preferences, despite a *de jure* agreement on the policy ends that results from the military agent's legal subordination to the civilian principal. The root of these preferential differences stems from identity differentiation, per Huntington, with military agents serving as policy-agnostic instruments of the statesman but perpetually harboring preferences for preparations for war to waging war itself; or from the cost-benefit analysis presented by the principal-agent construct, which incentivizes military agents to offset civilian principal's monitoring and punishment powers by exploiting information asymmetry. Janowitz's early assessment of dissolving distinctions between civil and military spheres offers an alternative explanation to account for preference alignment between the civilian principal and military agent, which may more readily enable the preferences of the military actor to determine the decision outcome.

³² Feaver, *Armed Servants*, 72.

CHAPTER 4

The National Security Policy Process

In January, the terrorism czar, Richard Clarke, briefed each of his old colleagues from the first Bush administration—Condi Rice, Steven Hadley, Dick Cheney, Colin Powell—with a blunt message: “al Qaeda is at war with us, it is a highly capable organization, probably with sleeper cells in the U.S., and it is clearly planning a major series of attacks against us; we must act decisively and quickly.” On January 25 Clarke sent a memorandum to Rice: “We urgently need...a Principals level review on the al Qaeda network,” noting the imminent al Qaeda threat.

—Terry Anderson

It was April before the Deputies Committee met to review the threats Richard Clarke urgently reported. In July, Clarke and others again warned the National Security Advisor of continued indicators of an imminent al Qaeda threat, but the new Bush administration’s senior national security staff dismissed the threat.¹ The ability of various actors within the national security policy-making system to ensure policy is continually updated and refined to address emergent security priorities is limited at best, explaining in part why Richard Clarke’s pleas to the National Security Advisor went unheeded. The U.S. system of governance and policy-making process is best described as *adversarial*.² Stakeholders in government policy decisions represent the competing interests of various organizations, individuals, and states, each vying to best represent their particular equities. The government system, with its separation of powers, federated structure, and judicial review authority, was designed to create inherent tensions, impediments to the exercise of power, and favor compromise. The national security policy process, like other policy-making processes at the national level, reflects these tensions. The priorities of one department or agency are balanced against competing priorities in others by a key Cabinet-level coordination and advisory body: the National Security Council. The National Security Council, comprised of just four statutory members, along with its system of Principals Committees, Deputies Committees, and functional and regional

¹ Terry Anderson, *Bush’s Wars* (NY: Oxford University Press, 2011) 63-64.

² James Wilson, *American Government: Brief Version*, 3rd Ed. (Lexington, MA: D.C. Heath and Company, 1994), 344.

interagency committees, constitutes the primary national security policy-making apparatus. The intent of the entire apparatus is to ensure the sound integration of policies affecting national security, to include domestic, foreign, military, intelligence, and economic policy. The degree to which the national security policy apparatus is successful in meeting these objectives depends on innumerable variables, to include belief systems, operational codes, personalities, external threats, public opinion—and civil-military relations.³ As one of the statutory advisors to the National Security Council, the Chairman of the Joint Chiefs of Staff importantly represents the National Military Establishment to this most senior decision-making body. The Chairman thus plays an important role in the development of national security policy, along with the Secretary of Defense, as the senior civilian representative on the National Security Council. Collectively, these two actors, along with other senior military leaders such as the Service Chiefs and Combatant Commanders, constitute the military actors in the principal-agent construct within the national security policy process.

The Evolution of National Security Policy Apparatus

Although the name implies a certain degree of formality, the national security policy process is largely a flexible process of interagency coordination at the senior level, largely variable from presidential administration to administration. The roots of contemporary policy formulation date back to the National Security Act of 1947, during which time Congress sought, through the establishment of a formal national security structure, to remedy the deficiencies in national-level information sharing and coordination perceived to have led to the surprise of the pre-war Pearl Harbor attacks. By law, the National Security Act of 1947 directs the National Security Council to “advise the President with respect to the integration of domestic, foreign, and military policies related to the national security so as to enable the military services and the other departments and agencies of the government to cooperate more effectively in matters involving national security.”⁴ The value of the Congressionally-mandated National Security Council grew during the 1950s with the outbreak of the Korean War, when

³ For a discussion of operational codes and the psychological components of policy making, see Ole Holsti, *Making American Foreign Policy* (NY: Routledge, 2006).

⁴ National Security Act of 1947, 50 U.S.C. Section 402 (1947).

President Truman increasingly found that the council facilitated the development of coordinated war policy. President Eisenhower gave further definition to the nascent national security structure, creating the position of the National Security Advisor, providing security counsel to the president. During the Kennedy and Johnson administrations, the National Security Council played a smaller role, as both presidents preferred to rely upon hand-picked trusted agents rather than staff experts. Under the guidance of Henry Kissinger during the Nixon and Ford administrations, the pendulum swung back the other way, and the National Security Council grew to include more than eighty personnel. President Carter subsequently requested diverse policy options from his National Security Council staff, while President Reagan sought private, collegial decision-making, managed by his Chief of Staff. This collegial approach led to considerable public friction, as well as the emergence of the council as a body implementing its own policies, as evidenced by the Iran-Contra affair. Although the findings of a Congressional commission on the affair determined the national security structure and processes were not at fault, the next administration implemented substantial reforms. President H.W. Bush instituted the National Security Council system retained in every subsequent administration, which included the Principals Committee, Deputies Committee and eight Policy Coordinating Committees. The Clinton administration drew economics into the national security equation with the creation of the National Economic Council, whose chief also served as the Assistant to the President for Economic Policy, and the inclusion of this new economic policy advisor and the Secretary of the Treasury on the National Security Staff.

The ebb and flow of the size, responsibility, and organization of the national security policy structure since 1947 reflects the presidential prerogative to operate the national security process according to his needs.⁵ Formal, administrative, and organizational dictates regarding the national security policy process are essentially overridden by the requirements of the President and his staff, and account for the

⁵ Whittaker, Alan G., Brown, Shannon A., Smith, Frederick C., & McKune, Elizabeth (2011). The National Security Policy Process: The National Security Council and Interagency System. (Research Report, August 15, 2011, Annual Update). Washington, D.C.: Industrial College of the Armed Forces, National Defense University, U.S. Department of Defense, 12.

variance in the process over time.⁶ Despite the relative continuity of the national security policy system since President George H.W. Bush, the process has been reported to primarily reflect “the management style of the President.”⁷ The national security process itself is contingent upon the system and non-statutory structure determined by the President, its routine management by the National Security Advisor, and the performance and personality of key individuals within that system.⁸

George W. Bush Era National Security Policy Process

Especially relevant to the case study presented in the following chapter is President George W. Bush’s formulation of the national security policy process. In February 2011, the White House issued National Security Presidential Directive 1, which affirmed the role of the National Security Council as responsible for advice and integration of national security policy, to include domestic, foreign, military, intelligence, and economic policy. According to the directive, the regular attendees of the Bush administration’s National Security Council included the President, Vice President, Secretary of State, the Secretary of the Treasury, and the Secretary of Defense, with the National Security Advisor setting the council’s agenda. The Secretary of the Treasury and the National Security Advisor, the White House Chief of Staff, and White House Counsel, all non-statutory members of the National Security Council, regularly attended the meetings during the Bush administration, along with the Director of Central Intelligence and the Chairman of the Joint Chiefs of Staff, as statutory advisors to the council.⁹ The President’s Chief of Staff and the Assistant to the President for Economic Policy were invited to attend the council meetings as desired. (See Figure 7 for a list of key personnel affiliated with the National Security Council during the Bush Administration.) Additional executive department and agency heads, according to the directive, would be invited to attend as appropriate. A first in presidential directive

⁶ National Security Presidential Directive-1, (February 13, 2001), <http://www.fas.org/irp/offdocs/nspd/nspd-1.htm>.

⁷ Locher, James R., et al. Project on National Security Reform - Preliminary Findings. July 2008, <http://www.pnsr.org/web/page/579/sectionid/579/pagelevel/1/interior.asp>, 12, as cited in Whittaker et al, *The National Security Policy Process*, 24.

⁸ Whittaker et al, *The National Security Policy Process*, 24.

⁹ Douglas J. Feith, *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism* (NY: Harper Collins, 2008), 53.

history, the National Security Presidential Directive 1 included a definition of the term *national security* as “the defense of the United States of America, protection of our constitutional system of government, and the advancement of United States interests around the globe.”¹⁰

The directive also reestablished the National Security Council Principals Committee, which included the Secretary of State, the Secretary of Defense, the President’s Chief of Staff, and the National Security Advisor, as the primary forum for national policy coordination within the National Security Council system, as well as the Deputies Committee. As a sub-Cabinet-level interagency forum, the Deputies Committee provided both direction and oversight of subordinate National Security Council interagency Policy Coordination Committees, which conducted the daily business of interagency national-security-policy coordination, as well as ensuring policy matters underwent sufficient preparation prior to presentation at the Principals Committee. National Security Presidential Directive 1 organized the subordinate Policy Coordination Committees into six regional and four functional groupings, to include committees dedicated to Counter-Terrorism and National Preparedness; Defense Strategy, Force Structure, and Planning; Proliferation, Counterproliferation, and Homeland Defense; and Intelligence and Counterintelligence. Of significant distinction, the Principals Committee under President Bush included the Chief of Staff and the National Security Advisor to the Vice President, which suggests the Office of the Vice President played a more significant role in national security policy than in previous administrations, during which the vice presidential support staff did not attend such meetings.¹¹

The advent of the devastating terrorist attacks on 9/11 prompted a deviation from the prescribed National Security Policy Directive 1 in which Deputies Committees perform daily national security policy coordination for review and decision by the Principals Committee and, ultimately, by the National Security Council. Following 9/11, due to the rapid pace of events and high-level policy decisions being made, the Principals Committee and National Security Council performed the bulk of the daily policy

¹⁰ Cody Brown, “The National Security Council: A Legal History of the President’s Most Powerful Advisers,” Project on National Security Reform, 2008, <http://0183896.netsolhost.com/site/wp-content/uploads/2011/12/the-national-security-council.pdf>, 71.

¹¹ Brown, “The National Security Council,” 72.

making.¹² In October 2011, the President issued Executive Order 13228, establishing the Office of Homeland Security, and the Homeland Security Council, a counterpart to the National Security Council. The Office of Homeland Security would later become the Department of Homeland Security, pursuant to the Homeland Security Act of 2002, responsible to the President for coordinating homeland security policies. The Homeland Security Council membership included the President, Vice President, Secretaries of Homeland Security and Defense, the Attorney General, and other leaders and substantive experts as required. In the next five years, the Homeland Security Council grew to more than forty staff members, many of which already participated within the National Security Council Committee system, eliciting criticism as to the necessity of the second security council.¹³

Further changes to the national security policy apparatus resulted from the 9/11 Commission findings, which prompted the Intelligence Reform and Terrorism Prevention Act of 2004.¹⁴ The Director of Central Intelligence was replaced as the senior national Intelligence Community representative and statutory advisor to the National Security Council by the new Director of National Intelligence. The Office of the Director of National Intelligence became responsible for the oversight and direction of the U.S. National Intelligence Program, and for advice to the President, the National Security Council, and the Homeland Security Council on intelligence issues related to national security. Even later changes included the decision by Congress to amend the National Security Act with the addition of the Secretary of Energy to statutory membership on the National Security Council, making President Bush responsible for the most extensive reorganization of the national security apparatus since 1947.¹⁵

¹² Whittaker et al, *The National Security Policy Process*, 11.

¹³ Brown, *The National Security Council*, 79.

¹⁴ The 9/11 Commission Report, Government Printing Office, July 22, 2004, http://govinfo.library.unt.edu/911/report/911Report_Ch13.htm, 399.

¹⁵ Brown, *The National Security Council*, 80.

National Security Policy Key Personnel, Bush Administration (Pre-9/11)					
Title	Name	NSC Statutory Member	NSC Statutory Advisor	NSC Regular Attendee	Ad Hoc
President	George W. Bush	X		X	
Vice President	Dick Cheney	X		X	
Secretary of State	Colin Powell	X		X	
Secretary of Defense	Donald Rumsfeld	X		X	
Chairman of the Joint Chiefs of Staff	General Hugh Shelton (until Oct 1, 2001)			X	X
Chairman of the Joint Chiefs of Staff	General Richard Meyers (after Oct 1, 2001)			X	X
Director of Central Intelligence	George Tenet			X	X
National Security Advisor	Condoleezza Rice				X
Secretary of the Treasury	Paul O'Neill				X
White House Chief of Staff	Andrew Card				X
White House Counsel	Alberto Gonzales				X
Attorney General	John Ashcroft				X
Secretary of Commerce	Don Evans				X
Federal Bureau of Investigation Director	Robert Mueller				X

Figure 7. Key Personnel in the National Security Council System during the George W. Bush Administration, post-9/11.

Source: Author's own work

A Conceptual National Security Policy Process

The national security policy process is largely based on the organization of the National Security Council system and the management style of the President, who leverages its components accordingly. Consequently, variations in the national security policy process result, and therefore must be characterized either according to the specific style of a President, or disaggregated into a conceptual process whereby national security policy decisions are made. To provide a framework useful for analysis beyond a specific presidential administration, this study will approach the national security process conceptually, utilizing the “stages heuristic” popularized in the 1970s and 1980s in public

policy analysis.¹⁶ The primary stages of the policy process, according to this model, are “agenda setting, policy formulation and legitimization, implementation, and evaluation.”¹⁷ Although the stages heuristic has been subject to criticism for its oversimplification of the policy process, the model sufficiently reflects the primary activities of the policy process needed to identify key actors in the policy stage, the preferences of the actors, the similarity of those preferences, and the information asymmetries between the actors. Disaggregating the policy process into stages enables an analysis of these variables, which collectively determine the informal decision-control level held by the two key actors, principal and agent.

For the purposes of this study, the five stages of the policy process are initiation, formulation, ratification, implementation, and monitoring. These five stages denote policy-making activities similar to those outlined in the stages heuristic, but have been adapted from the 2007 RAND report, titled “The Civil-Military Gap in the United States,” by Szayna et al.¹⁸ A brief description of each of the five conceptual stages will distinguish the primary objectives and activities characterizing the stage. Conceptual stages of the policy-making process include (see Figure 8):¹⁹

1. Initiation: A policy problem is identified, defined, and communicated to members of the policy committee, at the appropriate level. The policy committee chair or appointed decision-maker develops the policy agenda to facilitate coordination of a resolution to the policy problem.
2. Formulation: An iterative process whereby committee members, substantive experts, and stakeholders develop and analyze proposals to solve the policy problem. Negotiation of a policy solution begins.
3. Ratification: Negotiation of policy solutions terminates with the selection of a policy proposal by consensus or by selection by the committee leader or appropriate decision-maker.
4. Implementation: The policy solution is put into action by the appropriate department, agency, or group.

¹⁶ Paul Sabatier, ed., *Theories of the Policy Process* (Boulder, CO: Westview Press, 2007), <http://cursodeposgrado.files.wordpress.com/2011/08/libro-sabatier.pdf>, 6.

¹⁷ Sabatier, *Theories of Policy Process*, 6.

¹⁸ Szayna et al, *The Civil-Military Gap in the United States*, 23-4.

¹⁹ Richard Cole, Delbert Taebel, David Austin, *Texas: Politics and Public Policy* (San Diego, CA: Harcourt Publishers, 1987).

5. Monitoring: The policy solution is monitored to determine how effective the policy solution is at addressing the policy problem. Formal and informal mechanisms for policy monitoring may be employed for this purpose.

The initiation stage of the policy process is critically important to the policy decision outcome because it is during this stage that the policy problem is defined. For “wicked” policy problems, “the process of formulating the problem and conceiving of the solution are identical, since every specification of the problem is a specification of the direction in which a treatment is considered.”²⁰ Much like a good theory, a useful definition will categorize the policy problem under investigation, explain the problem, connect the problem to other issues and considerations, and anticipate the policy solution.²¹ Macro-, meso-, and micro-level ideas all shape and bound an actor’s definition of the policy problem. Macro-level ideas are “ideological, in the sense that they constitute a dominant or hegemonic set of ideas and values concerning the purpose and objectives of government and public policy.”²² For example, identity conceptions of the United States as an entitled guarantor of global security lead to different implications than conceptions of the state as one of many important and influential global actors. Macro-level ideas usually become the dominant paradigm of an individual, group, or era.²³ Thomas Kuhn and Robert Jervis best illuminate the significance of a paradigm, operational code, or system of beliefs in defining a policy problem. A historian and philosopher of the sciences, Thomas Kuhn explains that paradigms are a necessary construct enabling scientists to test theories and incrementally refine their understanding of a field.²⁴ Problematically, adherents to a paradigm are at risk of becoming entrenched in the paradigm’s way of thinking, and therefore fail to identify, create, or design new ways of solving puzzles. Kuhn points to the frequent origination of new, competing scientific

²⁰ Horst Rittel and Melvin Webber, “Dilemmas in a General Theory of Planning,” *Policy Sciences*, 4 (1973), <http://www.uctc.net/mwebber/Rittel+Webber+Dilemmas+General+Theory+of+Planning.pdf>, 161.

²¹ Adapted from Dr. Hal Winton’s description of theory. Harold Winton, “An Imperfect Jewel: Military Theory and the Military Profession,” *Journal of Strategic Studies*, Vol. 34, No. 6, 853-877, December 2011.

²² Peter Dorey, *Policy Making in Britain: An Introduction* (Thousand Oaks, CA: 2005), http://www.sagepub.com/upm-data/9607_019989ch02.pdf, 13.

²³ Dorey, *Policy Making in Britain*, 15.

²⁴ Thomas Kuhn, *The Structure of Scientific Revolutions*, 3rd Ed. (Chicago: University of Chicago Press, 1996), 64-65, 100, 109.

explanations either from scientists outside of the field or from junior members of the field, both of whom have not become inured to the field's assumptions.²⁵

Once an individual's macro-level ideas are established, the probability of continued adherence to the assumptions, beliefs, and values embedded in that paradigm is highly probable. International politics scholar Robert Jervis explains human minds tend to assimilate information according to preexisting beliefs and expectations, even when the information contradicts their beliefs. He writes, "Consistency can largely be understood in terms of the strong tendency for people to see what they expect to see and to assimilate incoming information to pre-existing images."²⁶ While Jervis makes a distinction between paradigms and images, indicating that the degree of commonality between competing images is notably greater than between paradigms, he also acknowledges that the comparison between scientists and statesmen is still valid. Akin to a scientific friction between theories within a paradigm rather than between paradigms, statesmen reconcile new information with some elements of their belief system and ignore the contradiction presented by others.²⁷ The definition of the policy problem introduces the initial, and therefore usually lasting, ideas about how the problem is conceptualized. Consequently, the initiation stage of the policy process is given the heaviest weight in influencing the policy decision outcome in this study. (See Figure 10.)

During the initiation stage information asymmetries are high, as actors have varying access to and familiarity with information about the new policy problem. Actors setting the policy agenda will likely have information sufficient to identify the issue as one necessitating a policy decision, but may not have information as robust as other actors who may, by virtue of their role, be privy to information not yet incorporated into the policy issue. Actors may permit personal political or organizational interests to determine what information is shared with the policy-making group, or may delay informational inputs in order to gain time to more fully assess the policy problem. Depending on the nature of the policy problem, specific actors may possess greater

²⁵ Kuhn, *The Structure of Scientific Revolutions*, 119.

²⁶ Robert Jervis, *Perception and Misperception in International Politics* (Princeton, NJ: Princeton University, 1976), 117.

²⁷ Jervis, *Perception and Misperception in International Politics*, 161.

knowledge about the policy area and its implications than others, amplifying information asymmetries already inherent in the introduction of a new policy issue.

Although competing ideas will be debated in the initiation stage, the ideas may not be debated *between* organizational actors, but rather *amongst* the actors responsible for setting the agenda within an organization. In the national security domain, agenda-setting is accomplished by the National Security Advisor and her staff, before the agenda is introduced to the larger interagency council or committees. This fact affords the National Security Advisor significant prerogative in framing the policy problem. Disagreement over the definition of the policy problem likely will not occur until the initiation stage has concluded and the policy formulation stage begins, as a result of the agenda-setting prerogative maintained by the National Security Advisor. In some instances, the policy problem may *not* be defined; for example, when the problem is thought to be implicitly understood by the council, when the problem is dramatic or tragic and necessitates a strong or provocative response, or when the problem appears plainly obvious.

Stages of the National Security Policy Process				
Initiation	Formulation	Ratification	Implementation	Monitoring
Problem Defined	Policy Proposals Developed	Negotiation Terminates	Policy Put Into Action	Formal or Informal Mechanisms Employed
Agenda Set	Solution Negotiation Begins	Policy Solution Selected	Oversight Established	Feedback Provided

Figure 8. Stages of the National Security Policy Process

Source: Author's own work

The formulation stage of the policy process is the second-most influential stage in determining the policy decision. During the formulation stage of the policy process, policy proposals are developed and analyzed, establishing the range of options under consideration, and negotiations begin over the appropriate solution. The range of acceptable solutions to the policy problem undergoes its first constriction in the initiation phase; the second constriction occurs in the policy formation stage, when the range of potential solutions is identified. Although the policy makers may linger in the policy

formulation phase as a result of dissatisfaction with the proposed solutions, it is impossible to return to the initiation stage and redefine the problem without the ideational linkages introduced during the initial attempt to define the problem. However, failing to return to the initiation stage and redefine the problem may stymie continued efforts to generate acceptable solutions in the policy-formulation stage. Hence, once policy makers have defined the problem and begun the iterative process of developing and analyzing alternatives, there will be increasingly fewer new ideas interjected into the process. When the policy process begins, policymakers cross the threshold from open space to a tunnel that gets smaller and smaller as the process continues.

What factors constrict the range of policy options considered in the policy formulation stage? The two chief factors bounding the range of rational policy solutions proposed are organizational behavior and governmental politics. A former Assistant Secretary of Defense for Policy and Plans and Special Advisor to the Secretary of Defense, political scientist Graham Allison identifies rational decision-making, organizational behavior and government politics as three forces governing decision-making in his seminal *Essence of Decision*.²⁸ The first of these, the rational decision-making model, asserts that actors seek consistently value-maximizing choices within given constraints, explaining why and how actors make decisions.²⁹ Rational action, therefore, constitutes an actor's baseline decision-making logic. Even so, actors' decisions often do not reflect a pure rational calculation. Why? The organizational behavior model and the government politics model explain decisions that do not reflect the consistently value-maximizing behavior that characterizes rationality.

The organizational behavior model suggests organizations have standard pre-established processes that guide their daily business and serve to constrain behavior by addressing "it already oriented toward doing whatever they do."³⁰ Hence, dining on pizza is not possible at a Chinese restaurant, unless pizza is on the menu.³¹ These

²⁸ Graham Allison and Philip Zelikow, *Essence of Decision: Explaining the Cuban Missile Crisis*, 2nd Ed. (NY: Longman, 1999).

²⁹ Allison and Zelikow, *Essence of Decision*, 18.

³⁰ Allison and Zelikow, *Essence of Decision*, 145.

³¹ Allison and Zelikow, *Essence of Decision*, 145.

“organizational outputs” constrain rational decision-making by limiting the choices available to the policy-maker.³²

Governmental politics, on the other hand, narrows the range of policy options available through the interaction of competing preferences. Governmental behaviors can be classified as the outcome of “bargaining games,” in which many actors consider diverse problem sets, display variance in their conceptions of strategic, national, organizational, and personal goals, and permit politics to shape choice.³³ Allison distills the concept, writing, “Individuals share power. They differ about what must be done. Differences matter. This milieu necessitates that government decisions and actions result from a political process. ... Sometimes one group committed to a course of action triumphs over other groups fighting for alternatives. Equally often, however, different groups pulling in different directions produce a result, or better a resultant distinct from what any person or group intended.”³⁴ Despite a formal hierarchy and decision-making authority vested in a single post, that of the President, which seemingly eliminates this problem of competing preferences, the forces at work in governmental politics prevent the preferences of the highest authority from being deterministic.³⁵ Richard Neustadt skillfully differentiates between *de jure* or formal power and the *de facto* power that is required, even in the position of the President, to effectively influence decision outcomes.³⁶ The differentiation rests on several factors that reflect the *shared* power of the presidency in the United States.³⁷ Ultimately, competing preferences influence each stage of the policy process, but exert the most dramatic influence in the policy formulation stage, when preferences are manifest in proposed policy solutions.

Although the increasing constriction of new ideas and, therefore, policy options in the policy process presents significant challenges when evaluated abstractly, in practice, these challenges are moderated. The National Security Advisor is given the authority to

³² Allison and Zelikow, *Essence of Decision*, 156.

³³ Allison and Zelikow, *Essence of Decision*, 255.

³⁴ Allison and Zelikow, *Essence of Decision*, 256.

³⁵ Allison and Zelikow, *Essence of Decision*, 258.

³⁶ Richard Neustadt, *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*, 5th ed. (NY: Free Press, 1990). As cited in Allison and Zelikow, *Essence of Decision*, 258.

³⁷ Neustadt, *Presidential Power and the Modern Presidents*. As cited in Allison and Zelikow, *Essence of Decision*, 258.

develop the policy agenda as a result of a high level of demonstrated competence in security affairs, and the full faith and confidence of the President. Furthermore, the National Security Advisor is provided a robust staff of qualified political and substantive experts who support the appropriate development of the policy agenda. Affording the agenda-setting and problem-definition prerogative to the National Security Advisor provides the national leadership with a straightforward and, therefore, expeditious means of beginning the policy process. Building consensus during the initiation stage would likely complicate and excessively distend the policy process, disabling it as an effective tool for and of strategy. The practical benefits of a process that operates in this manner offset the conceptual limitations imposed by the inability to revert to the initial stage in the policy process untainted by earlier ideas. In no manner, however, does this understanding diminish the importance of, first, the initiation stage and, second, the formulation stage of the policy process to the policy decision.

In the policy-formulation stage, information asymmetries play a role similar to but diminished from the role played in the initiation stage of the policy process, when the problem is defined. Information is still a powerful tool for the actor in the policy formulation stage, but because of the prevalence of cognitive consistency, information is most valuable during problem definition, in the first stage of the policy process. Information asymmetries, in the policy-formulation stage, enable some actors to propose solutions that other actors could not propose as a result of differing competencies, access, or authority. The informational deltas can also prompt actors to withhold policy solutions that they possess the capabilities to provide but that counter individual or organizational interests. The organizational behavior and governmental politics factors governing actor behavior extend to the information domain, incentivizing actors to disclose certain information and hide other information.

In the third stage of the policy process, negotiations over policy options end and a policy solution is selected. Some of the same factors at work in stages one and two of the policy process shape negotiations over the policy solution. Certainly, macro-level ideas about the policy problem will influence the selection of the solution; the solution should address the issues identified in the problem definition according to the operative paradigm or belief system. Both organizational output and governmental politics play a

role in negotiations over the policy solution. The organizational-behavior factor will lead actors toward certain policy solutions that offer the greatest gain for their organization, measured by increases in benefits like prestige, resources, or autonomy. Organizational behavior will also lead actors away from policy solutions that do not reflect the capabilities offered by their organization because, as Allison explained, actors will orient problems according to their organizational outputs and standard practices.

Organizational prerogatives, however, must be reconciled with competing interests at the individual and group level. Governmental politics describes these competing preferences in aggregate, as aforementioned. Finally, actors' ability to negotiate in favor of their preferred policy solution hinges on their power to persuade. This power can be authoritative, resting on formal legal responsibilities, informal, such as that of the National Security Advisor's agenda-setting prerogative or based on personal charisma. Collectively, the dynamics of organizational output, governmental politics, and persuasive power influence the selection of the policy solution during the policy ratification stage. New ideas associated with the policy problem are unlikely during this stage of the process, and information asymmetries are lower than during earlier stages. Consequently, actor's preferences are the least influential during the policy-ratification stage as compared with the initiation and formulation stages.

The later stages of the policy process, policy implementation and monitoring, offer even less opportunity for actor preferences to manifest in the policy outcome. First, the policy outcome has already been determined by the time the policy is implemented, leaving little opportunity for actor preferences to influence the policy outcome itself. However, actors responsible for implementing the selected policy solution—the *agents* in the principal-agent construct—retain the capability to *shirk*, or perform work that is not a good faith effort to represent the principal's policy. If the actor's preferences differed from the policy solution ratified, the actor may deviate from the prescribed policy with the hope that the principal will not detect the shirking taking place. As outlined in Chapter 3, the agent's shirking will vary according to perceived punishment, and the principal's monitoring of the agent will vary according to costs. Therefore, even if the preferences of the actor differ from the selected policy solution, and the actor possesses the means to implement a policy solution different from that selected, the actor may not

do so because of concerns about punishment or highly intrusive monitoring by the principal. In some instances, the agents may shirk because they consider the selected policy solution harmful to national interests, not necessarily because of personal or organizational interests. Regardless, the ability for an actor's preferences to influence the policy during the implementation stage of the policy process is severely reduced as compared with the first three stages.

Monitoring presents similar impediments to an actor's preferences shaping the policy outcome. During the monitoring stage of the policy process, formal or informal mechanisms for monitoring the policy's implementation may be used to provide feedback on the effectiveness of the policy solution. As described within the framework of the principal-agent construct, monitoring enables the principal to more nearly determine if the agent is *working* or *shirking*, promoting greater accountability of the agent to the principal. In addition to accountability, monitoring enables the fine-tuning of the policy solution based on evidence of its effectiveness, which may involve increasing resources, adjusting timelines, expanding or contracting the effort, or improving policy-makers understanding of the policy issue. Information asymmetries can be high during the monitoring stage, if the principal's monitoring costs are high and therefore preclude a close characterization of the agent's *working* or *shirking* behavior. Information asymmetries can be moderated, however, if the costs of monitoring are sufficiently low and agent's *shirking* behavior is not deterred by perceptions of punishment. Still, actors' preferences operate on a narrower margin of influence during this final stage of the policy process because the actor has much less opportunity to shape the policy solution.

The policy process as a whole offers variable opportunities for actor preferences to influence the policy decision outcome. These opportunities are greatest during the beginning of the policy process, when the policy problem is defined, policy agenda set, and the range of policy solutions determined. Information asymmetries are also high during these stages because actors from disparate organizations and information pipelines are interested in disclosing information that advances their preferences or interests. Opportunities for preferences to dominate the policy decision decline as the policy process unfolds, making it increasingly more difficult for an actor's preferences to influence the policy decision outcome. Information asymmetries, on the other hand,

diminish in the ratification stage of the policy process—by which time the scope of the policy problem has been determined, and the problem and its potential solutions articulated, reducing informational disparities between actors—and then rise again in the implementation and monitoring stages, when classic principal-agent challenges appear.

Conceptual Policy Process and Methodology

The strategic interaction that occurs between principal and agent during the national security policy process is a bargaining process whereby actors' preferences are translated into policy.³⁸ The five conceptual stages of the policy process offer distinct opportunities for strategic interaction between civilian principal and military agent, during which time actor's preferences exert influence over the policy decision. For this study, the degree of influence each actor possesses in a given stage depends upon the actor's informal decision-control level, high or low, in that stage and where that stage occurs in the policy process. The earlier in the policy process an actor exerts high informal decision-control rights, the more dominant the actor's preferences in the final policy decision; the later in the policy process an actor exerts high informal decision-control rights, the less dominant the actor's preferences are over the policy decision. An actor's decision control level is determined by three factors: the distribution of preferences between actors, measured as either similar or dissimilar to the agent's preferences; the issue salience, held constant for the case under investigation; and the capability the actor possesses for influence, measured in terms of information asymmetry. The actor with the information asymmetry advantage is considered to possess greater capabilities for influence. (See Figures 9 and 10 for a graphic representation of the methodology.)

In the following chapter, civil-military relations will be examined in the context of policy decisions made during the period immediately following 9/11, according to the above construct. These five stages will be used to distinguish the actors' key policy activities corresponding to the decision to retaliate against the Taliban in Afghanistan

³⁸ Thomas Szayna et al, *The Civil-Military Gap in the United States*, 26.

with lethal military force, and how the military agent's cultural preferences potentially shaped that determination.

	Notional Informal Decision-Control Level Assessment					
	Info Asymmetry Favors	Preference Similarity	Issue Salience	Mil Decision Control	Civ Decision Control	Outcome
Combination 1	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Combination 2	Civ	Similar	HIGH	LOW	HIGH	Civ Preference
Combination 3	Mil	Dissimilar	HIGH	HIGH	LOW	Undetermined
Combination 4	Civ	Dissimilar	HIGH	LOW	HIGH	Undetermined

Figure 9. Notional Informal Decision-Control Level Assessment

Source: Author's own work

	Notional Informal Decision-Control Level by Stage				
	Initiation	Formulation	Ratification	Implementation	Monitoring
Military	HI	HI	LOW	HI	LOW
Civilian	LOW	LOW	HI	LOW	HI



Preferences Most Dominant

Preferences Least Dominant

Figure 10. Notional Informal Decision-Control Level by Stage

Source: Author's own work

CHAPTER 5

Case Study: National Security Policy Response to 9/11

We have a chance to write the story of our times, a story of courage defeating cruelty and light overcoming darkness. This calling is worthy of any life.

—President George W. Bush

This case study seeks to determine if and how the kinetic culture of the Department of Defense shapes national security policy. Recall that civil-military relations, according to Feaver, consist of strategic interactions between civilian principal and military agent. These strategic interactions can be characterized as a bargaining process, during which principal and agent negotiate according to material calculations of monitoring and punishment, in addition to their identity-based preferences. If the bargaining process is disaggregated, five stages emerge: initiation, formulation, validation, implementation, and monitoring. Within each of those stages, several factors affect the degree of informal decision control each actor has over the policy decision. The factors include: issue salience, which is held constant (*high*) through this study; information asymmetry, a function of the principal-agent relationship that advantages one actor and disadvantages the other; preference similarity, which signifies how closely the principal's preferences are aligned with the agent's. In combination, issue salience, information asymmetry, and preference similarity determine an actor's degree of informal decision control over the policy decision. Informal decision control is treated as binary; only one actor can have *high* decision control, and one *low* decision control. The actor with the highest decision control earliest in the policy process has the greater degree of influence over the policy decision, because the earlier stages of the policy process are more instrumental in determining the policy decision.

If the civilian principal, for example, possesses the information asymmetry advantage in stage one of the policy process, *and* the principal's preferences are aligned with the agent, then the principal has high informal decision control. The principal's preferences are likely to have a stronger degree of influence over the policy decision than the military agent's preferences, as a result. In the second stage of the policy process, if the military agent is found to have the higher informal decision control, then the military

agent's preferences are more likely to influence the policy decision in that stage. Because the policy process is heavily defined and scoped in the first two stages of the policy process, actor preferences carry the most weight in these stages and diminish in influence through the subsequent stages.

The examination of actor preferences and informal decision control in the case study will illustrate *if* and *how* the kinetic culture of the Department of Defense shapes national security policy. The case study also seeks to establish these kinetic preferences as unique to the Department of Defense and influential in the policy process. Efforts are made to elicit the Department's kinetic preference throughout the five stages of the post-9/11 policy process.

Policy Process Stage 1: Initiation

The process to develop a national security policy by the Bush administration regarding the al Qaida threat really began more than eight months prior to the attacks on September 11th. The terrorist attacks sent shudders through America, but the unchecked threat represented a long-standing intelligence concern: Osama bin Laden and his *al Qaida* ("the Base") network. By 1995, the United States had developed an assertive counterterrorism policy, in response to the 1993 World Trade Center bombing and the 1995 Murrah Federal Building bombing in Oklahoma City, that eventually included a National Coordinator for Security and Counterterrorism post.¹ The Central Intelligence Agency commenced covert action against terrorist networks, developing a specialized counterterrorism unit dedicated to al Qaida-related intelligence. Al Qaida's claim of responsibility for the August 1998 attacks on the U.S. embassies in Kenya and Tanzania strengthened U.S. resolve to aggressively pursue the group, as signaled by the authorization to lethally target Osama bin Laden.² The Clinton administration unsuccessfully targeted Osama bin Laden with cruise missiles at a training camp in Khost, Afghanistan. Clinton's administration subsequently began a diplomatic campaign

¹ In 1995, President Clinton signed Presidential Directive 39, "U.S. Policy on Counterterrorism," which addressed agency roles and responsibilities in the event of a terrorist attack, as well as intelligence and covert action authorities. In 1997, President Clinton created the position dubbed the "Terrorism Czar," or the National Coordinator for Terrorism and Counterterrorism, to which he appointed Richard Clarke.

Terry Anderson, *Bush's Wars* (NY: Oxford University Press, 2011), 48-49.

² Anderson, *Bush's Wars*, 49.

to coerce the Taliban to surrender the al Qaida leader, and to similarly pressure Pakistan to curb its support for the Taliban. Both al Qaida and its senior leader were of the highest concern to the National Security Council members during the sunset of Bill Clinton's presidency.

In fact, al Qaida was one of three chief threats George Tenet, Director of the Central Intelligence Agency, briefed to President-elect George W. Bush a week before his 2001 inauguration.³ Out-going National Security Advisor Sandy Berger relayed to incoming Condoleezza Rice that al Qaida, specifically, and terrorism, more generally, would consume a disproportionate amount of her time.⁴ Richard Clarke, the terrorism czar, and Tenet conveyed the urgency of the threat al Qaida posed to the United States multiple times to Rice and fellow members of the National Security Council, and warned the Senate of the immediate threat of terrorism against the United States by al Qaida. Despite these pleas, the National Security Council Deputies Committee of the new Bush administration did not debate the al Qaida threat until April of 2001.⁵ It was July before the committee met and determined that al Qaida should be eliminated by funding the Central Intelligence Agency to arm the anti-Taliban Northern Alliance, and September before the Principals Committee met to review the recommendation.⁶ Rice drafted National Security Presidential Directive 9 for the President's signature on September 10th, after a much-delayed meeting of the National Security Council Principals the week prior.⁷

Clearly, the events of the following day altered the decision calculus regarding al Qaida, but the preceding period, beginning with the briefing to President-elect Bush in the final weeks of the year 2000, realistically constitutes the initiation of the policy process intended to contend with an al Qaida organization bent on major destruction to the U.S. Initial perceptions of al Qaida were introduced by the Clinton cabinet and the Central Intelligence Agency, and policy options debated at the Deputies Committee and taken back to their respective agencies for evaluation. Deputies and Principals attempted to determine if a policy was even required, as they fleshed out what shape the policy

³ Bob Woodward, *Bush at War* (NY: Simon & Schuster, 2002), 34.

⁴ Anderson, *Bush's Wars*, 62.

⁵ Anderson, *Bush's Wars*, 62.

⁶ Anderson, *Bush's Wars*, 65.

⁷ Woodward, *Bush at War*, 36.

could take, evaluated risks, organizational equities, and politics, before transitioning to the policy-formulation stage of the process.

Where was the Department of Defense in the initiation stage of the policy process? Legacy policy from Clinton's tenure vested authority in the Central Intelligence Agency to pursue robust intelligence collection and limited lethal covert action on a case-by-case basis against al Qaida, leaving the military to contend with on-going containment operations in Iraq and the larger Middle East region. Apart from a 1998 request by President Clinton for boots on the ground in Afghanistan to seek out and destroy Osama bin Laden, which met with resistance from the Chairman of the Joint Chiefs, Clinton relied on cruise-missile diplomacy to prosecute his counterterrorism operations.⁸ The out-going Clinton administration sought to impress upon Bush's National Security Council members the seriousness of the al Qaida threat to national security, but passed on policy that put counterterrorism most squarely in the court of the Central Intelligence Agency. Secretary of Defense Rumsfeld apparently concurred on this policy, failing to classify counterterrorism within the military's bailiwick.⁹ The Chairman of the Joint Chiefs of Staff, General Hugh Shelton, on the contrary, perceived the threat posed by al Qaida as a serious one, and attempted to impress this upon the Department of Defense.¹⁰ The Department's Deputy Secretary of Defense, Paul Wolfowitz, asserted that al Qaida was one amongst many threats, like Iraqi terrorism, for example.¹¹

The Central Intelligence Agency's repeated reports of imminent attacks during the first half of 2001 did little to bolster their credibility, or that of the al Qaida threat. Instead, the false alarms raised the level of background noise, making it more difficult to discern which threats should be heeded by the National Security Council.¹² Relatively widespread skepticism about the competency of the Central Intelligence Agency by Department of Defense senior leaders may also have undercut the credibility of the al Qaida threat. Decades of big misses by the Central Intelligence Agency, to include the Ayatollah's rise in Iran and the collapse of the Soviet Union that ended the Cold War,

⁸ Anderson, *Bush's Wars*, 49-50.

⁹ Anderson, *Bush's Wars*, 64.

¹⁰ Anderson, *Bush's Wars*, 64.

¹¹ Richard Clarke vehemently disagreed not only with Wolfowitz's assessment, but also the assertion that Iraq was actively using terrorism to threaten the United States. Anderson, *Bush's Wars*, 62-63.

¹² Anderson, *Bush's Wars*, 65.

made for intense skepticism by some of the Department's veteran leaders: Secretary of Defense, Donald Rumsfeld; Deputy Secretary of Defense Paul Wolfowitz; Undersecretary for Policy Douglas Feith; and Chairman of the President's Defense Advisory Board, Richard Perle.¹³ The primary focus of the Departments of Defense and State, as well as that of the National Security Advisor, appeared to be Iraq, as evidenced by dozens of reports regarding an invasion of the rebellious country circulated within the Departments during the first half of 2001.¹⁴

Analysis of Initiation Stage

Policy Issue Salience

Although this study will hold the policy issue salience variable as *high* throughout the five stages of the policy process, the specific circumstances behind the initiation stage of the policy process for this case study warrant further explanation. Generally, issue salience, with regard to matters of national security policy, especially those that consider the use of military force, is typically characterized as high to national policy makers. In policy literature, innumerable testaments characterize the decision to use force as the most important, most critical policy decision made at the national level. In this instance, the initiation of the policy process began before the issue salience was uniformly recognized. The initiation stage of the policy process that sought to militate against an al Qaida threat to national security really began during the Clinton administration with the development of counterterrorism policy. Some actors characterized al Qaida as posing a dire threat to national security, and others did not; the perspectives of the outgoing Clinton administration staff and those of the Bush administration reveal this difference. The policy process, through two Deputies Committee meetings, and one Principals Committee meeting, led to the development of National Security Presidential Directive 9 on September 10, 2001.¹⁵ The policy issue eventually achieved sufficient salience to warrant a Presidential Directive and, after 9/11, perceptions of salience crystallized.

¹³ Ron Suskind, *The One Percent Doctrine: Deep Inside America's Pursuit of its Enemies Since 9/11* (NY: Simon & Schuster, 2006), 22.

¹⁴ Suskind, *The One Percent Doctrine*, 22.

¹⁵ Woodward, *Bush at War*, 36.

Although the initiation stage of the policy process began long before the attacks of September 11th, the initiation of the policy process in response to a *clear and present danger*—al Qaida—did not begin until after the fated day. The attack served both to clarify the salience of the policy issue and to compress a key part of the initiation stage into a brief period immediately following the attacks. The attacks made the requirement for policy initiation implicit. In essence, by the time the formulation stage of the policy process commenced, it is reasonable to assert that the issue salience had become uniformly high for the various actors. Consequently, the issue salience during the initiation stage of the policy process is consistent with typical national-security-policy decisions regarding the use of military force, and will be characterized as *high* in the course of this study.

Information Asymmetry

Despite the instantaneous shift to a broad recognition that al Qaida signified a highly salient policy issue following the attacks on 9/11, information asymmetries developed before the attacks carried over. Intelligence chief Tenet and terrorism czar Clarke possessed the most exclusive access to intelligence that offered the best insight into the threat posed by al Qaida. Both Tenet's and Clarke's posts in intelligence spanned the two administrations, providing longer-term continuity on al Qaida's actions, as well as greater focus on intelligence matters by virtue of their roles and responsibilities. The Chairman of the Joint Chiefs would have possessed similar access, with security clearance authorities and intelligence support staff, but would have lacked the long-term continuity of Tenet and Clarke as well as the narrow focus on intelligence matters. Furthermore, the Chairman's position outside of the Department of Defense chain of command may have precluded his marshaling of Department of Defense intelligence and analysis resources as fully as the Secretary of Defense, providing a degree of information asymmetry between the two military representatives. The Secretary of Defense, both by virtue of his statutory membership on the National Security Council and his position as the civilian head of the Department of Defense, was privy to the intelligence on bin Laden provided by the Central Intelligence Agency, as well as the Department's intelligence agencies, and possessed staff to provide routine updates. The

Undersecretary of Defense for Policy reported Osama bin Laden as one of several individuals capturing the Department's attention during the summer of 2001; Feith considered the use of Predator strikes and covert action against the al Qaida leader, but indicated the intelligence reporting waffled between important and urgent.¹⁶ National Security Advisor Rice clearly had access to the intelligence provided by Tenet and Clarke, as well as the benefit of their urgent pleas for a Principals Committee meeting to contend with the issue; she, however, exercised her authority to table the policy matter. Rice, with agenda-setting power as the National Security Advisor, apparently prioritized other matters over the al Qaida issue, having executed eight National Security Presidential Directives prior to the one she authored for President Bush's signature on September 10.¹⁷

Statutory members of the National Security Council had varying access to information in the lead-up to 9/11, resulting in information asymmetries within the group. Vice President Dick Cheney's portfolio, for example, included intelligence collection and a significant portion of foreign policy, permitting more persistent access and focused attention on intelligence matters as compared with the President and Secretaries of Defense and State.¹⁸ Accounts of the President's response to 9/11 suggest that it was not immediately apparent to him that al Qaida and Osama bin Laden were responsible for the attacks.¹⁹ The President's response suggests that he suffered from perhaps the most severe information asymmetry amongst regular members of the National Security Council, having no strong suspicion that al Qaida was to blame.²⁰ (See Figure 7 Key Personnel in the National Security Council System during the George W. Bush Administration post-9/11.) The President's internal response starkly contrasted with others' reactions; General Tommy Franks, Commander of US Central Command, reportedly watched the planes crash into the World Trade Center on television and raised

¹⁶ Douglas Feith, *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism* (NY: Harper, 2008), 44.

¹⁷ Woodward, *Bush at War*, 36.

¹⁸ Suskind, *The One Percent Doctrine*, 23.

¹⁹ Woodward, *Bush at War*, 39.

²⁰ Sammon describes President Bush's inner monologue after having been alerted to the attacks while in an elementary school in Sarasota, Florida. President Bush continued the reading exercise with the students while wondering, privately, who attacked and why. Sammon, *Fighting Back*, 85-88.

a fist in the air, cursing Osama bin Laden.²¹ In a meeting at the Central Intelligence Agency's headquarters, Director Tenet and Mr. Clarke revealed their considerable certainty that al Qaida was to blame just minutes after the attack transpired.²²

By the afternoon of 9/11, Secretary Rumsfeld and his deputy, Wolfowitz, were allegedly intent on linking Iraq to the attack, suggesting that the level of sophistication demonstrated in the attacks was such that state sponsorship must have been provided.²³ Secretary Rumsfeld "complained that there were no decent targets for bombing in Afghanistan and that we should consider bombing Iraq, which had better targets."²⁴ Clarke reported conversations with both Rumsfeld and Bush about the extreme improbability that Iraq was linked to or had supported al Qaida's attacks, later clarifying in writing that the National Counterterrorism Center and Central Intelligence Agency concurred on the lack of any linkage between Iraq and al Qaida.²⁵

A high degree of information asymmetry between some of the statutory members of the National Security Council and its regular attendees is a possible explanation for the investigation into Iraq. The President and the Secretary of Defense, for example, with the broad responsibilities their duties entail, may not have achieved the same level of understanding about the threat posed by al Qaida as, say, the Director of Central Intelligence. According to that logic, however, the Secretary of State should have suffered from a similar information deficit. The Department of State was clearly concerned with Iraq, as evidenced by the alleged circulation of "dozens of reports...inside the Defense and State Departments about a possible invasion of Iraq,"²⁶ but the Secretary of State made recurrent comments about the need to focus on al Qaida after 9/11, initially leaving Iraq out of the equation.²⁷ In Secretary Powell's estimation, the Secretary of Defense was way off the mark in his pursuit of Iraq.²⁸ The Chairman of

²¹ Anderson, *Bush's Wars*, 70.

²² Anderson, *Bush's Wars*, 70.

²³ Anderson, *Bush's Wars*, 70.

²⁴ Anderson, *Bush's Wars*, 71.

²⁵ Anderson, *Bush's Wars*, 71.

²⁶ Suskind, *The One Percent Doctrine*, 22.

²⁷ Woodward, *Bush at War*, 43, 48-49, 61.

²⁸ Woodward writes that Powell rolled his eyes when Rumsfeld raised the question about Iraq, commenting to the Chairman of the Joint Chiefs, "What the hell are these guys thinking about? ... Can't you get these guys back in the box?" Woodward, *Bush at War*, 61.

the Joint Chiefs shared Powell’s concerns, believing “the only justification for going after Iraq would be clear evidence linking the Iraqis to the September 11 attacks.”²⁹

At this stage of the policy process, information asymmetries between civilian principal and military agent require some elucidation. The information asymmetries inherent in the principal-agent relationship are not really in evidence during the initiation stage of the policy process post-9/11. The civilian principal, the President, did not demonstrate considerable reliance upon the Secretary of Defense, and the senior military advisors that advise him, or the Chairman of the Joint Chiefs for their technical competence in the art of war. The perceptions of issue salience during pre-9/11 policy process certainly conditioned post-9/11 policy initiation, leading to a degree of information asymmetry between those who regarded al Qaida as the most serious threat to national security—the Central Intelligence Agency and Department of Defense—and those that did not—the President, Vice-President, and White House staff. The Central Intelligence Agency and Department of Defense were more invested in the threat, having already developed potential policy responses, and more familiar with the threat, providing at least a modest degree of information asymmetry between civilian principal and military agent. Consequently, it is reasonable to make the assertion that the Department of Defense possessed greater capabilities to influence the policy decision by virtue of an information asymmetry between the Secretary of Defense and the President, but that this asymmetry did not stem from the principal-agent relationship.

Preference Alignment

It is critically important to highlight the linkages made between Iraq, al Qaida, and terrorism in the minds of key decision-makers—the President, the Vice President, the Secretary of Defense, the Deputy Secretary of Defense—because, again, “the process of formulating the problem and conceiving of the solution are identical.”³⁰ The initiation stage of the policy process includes the definition of the problem; in this case, a strong association between the 9/11 attacks, America’s national security, and Iraq flavored the formulation of the problem. Much of that problem formulation occurred in the different

²⁹ Woodward, *Bush at War*, 61.

³⁰ Rittel and Webber, “Dilemmas in a General Theory of Planning,” 161.

departments in the days following 9/11. On the afternoon of 9/11, Secretary Rumsfeld directed a review of intelligence to determine if Iraq could be targeted immediately, noting to an aide that he wanted to “Go massive. Sweep it all up. Thing related, and not.”³¹ The Secretary later distributed a strategy memo to the attendees of the National Security Council in order to frame the problem and potential military responses prior to the President’s weekend meeting at Camp David.³² Douglas Feith, the Undersecretary of Defense for Policy, and the Assistant Secretary of Defense for International Affairs, Peter Rodman, recommended “prevention and self-defense” as the object of forthcoming policy, not retaliation.³³ Although this recommendation hints at policy formulation, which occurs at a later stage of the policy process, rather than problem definition, the idea was an outgrowth of their conception of the problem now facing America: terrorism and state sponsorship of terrorism. Emphasis must be made here to underscore that Islamic terrorism, or al Qaida’s terrorism specifically, were not characterized as the problem, *but terrorism writ large*.³⁴ Feith and Rodman asserted that it was terrorism, generally, that threatened the American way of life and thus must be defined as the problem.³⁵ Consequently, punishing specific terrorist groups like al Qaida would not achieve the national security requirement, but prosecuting all of them, in a prioritized fashion, and their state sponsors to deter future attacks, may.

Conceptualizing the problem as one that necessitated prevention justified the pursuit of targets that posed a much more indirect and further-removed threat to the United States. The senior Department of Defense officials, to include Rumsfeld, Wolfowitz, Feith, and Rodman, would consequently advocate that Iraq deserved a position in the top three most immediate threats to national security. Feith validated this sentiment in his book *War and Decision*, writing “Rumsfeld, Wolfowitz, and I all thought that U.S. military action should aim chiefly to disrupt those who might be plotting the next big attack against us. ... Rodman and I noted in our memo that ‘the immediate priority targets for initial action’ should be al Qaida, the Taliban, and Iraq.”³⁶

³¹ Anderson, *Bush’s Wars*, 70.

³² Feith, *War and Decision*, 50.

³³ Feith, *War and Decision*, 50.

³⁴ Feith, *War and Decision*, 50.

³⁵ Feith, *War and Decision*, 51.

³⁶ Feith, *War and Decision*, 51.

The President and Vice President are similarly reported to have pursued linkages between al Qaida and Iraq almost immediately. President Bush directed terrorism czar Clarke to reinvestigate his intelligence and “see if Saddam did this. See if he’s linked in any way.” Clarke replied directly that “al Qaeda did this,” but President Bush again insisted Clarke scour the intelligence to look for Saddam’s involvement.³⁷ During the January 2001 meeting of the National Security Council, regional instability at the hands of Iraq and the potential for regime change were priority topics, with tasks handed out around the table to address the matter.³⁸ President Bush introduced the theme during the 13 September National Security Council meeting, questioning if the Central Intelligence Agency was investigating linkages.³⁹ Vice-President Cheney shared similar concerns to that of the President and Secretary Rumsfeld and his policy team, highlighting the importance of the intersection between terrorism, state sponsorship, and weapons of mass destruction.⁴⁰

Policy preferences between principal and agent reveal strong correlations. The prevention-based strategy introduced by the Department of Defense during the policy-initiation stage rested on the understanding that terrorism writ large threatened national security, vice the more narrow and specific threat posed by al Qaida. The formulation of the problem as the broad one of terrorism opened the door for the pursuit of more indirect threats, like that of Iraq. Both President Bush and Vice-President Cheney voiced considerable concerns over Iraq, both before and after 9/11. Rumsfeld, Wolfowitz, and Feith all strung terrorism, state support, and weapons of mass destruction together as intersecting factors threatening national security, which led them to Iraq. National Security Advisor Rice made Iraq policy a priority for the National Security Council, making it an agenda item at both the January and February 2001 meetings. Secretary of State Powell and Chairman of the Joint Chiefs General Shelton constituted the sole dissidents in the characterization of Iraq as a part of the immediate policy problem. The policy preferences between civilian principal, the President, and the military agent, Rumsfeld et al, illustrate a strong correlation, paving the way for the policy preferences

³⁷ Anderson, *Bush’s Wars*, 71.

³⁸ Anderson, *Bush’s Wars*, 59.

³⁹ Feith, *War and Decision*, 14-15.

⁴⁰ Feith, *War and Decision*, 20.

of the military agent to manifest strongly in the ultimate policy decision outcome. (See Figures 11 and 12.)

Case Study: Informal Decision Control Level Assessment						
Stages	Info Asymmetry Favors	Preference Similarity	Issue Salience	Mil Decision Control	Civ Decision Control	Outcome
Initiation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Formulation						
Validation						
Implementation						
Monitoring						

Figure 11. Case Study Stage I: Informal Decision-Control Level Assessment

Source: Author's own work

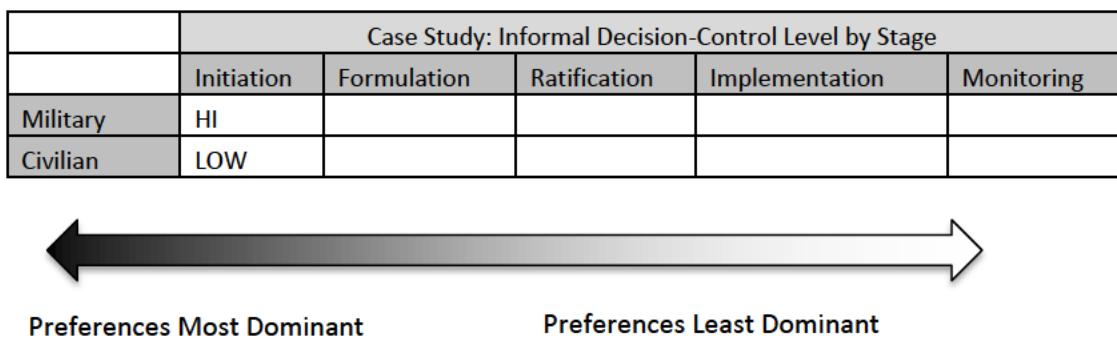


Figure 12. Case Study Stage I: Informal Decision-Control Level by Stage

Source: Author's own work

Policy Process Stage II: Formulation

In the abstract, the policy process can be cleanly disaggregated into five stages. In practice, however, the stages of the process overlap, blend together, occur in parallel, or circle back to earlier stages. While the initiation stage of the post-9/11 policy process extended into the 13 September National Security Council meeting, the policy formulation stage began as early as the afternoon of September 11th, when Department of Defense officials recognized that they would need to develop courses of action to present to national leadership, and when President Bush made the singular decision to “make no

distinction between those who committed these acts and those who harbor them.”⁴¹ Policy formulation was clearly taking place before the problem was even fully defined, as evidenced by the first articulation of the nascent Bush Doctrine.

In the first National Security Council meeting following 9/11, 9:30 p.m. that same day, the Council members began exploring ideas to respond to the attacks at the same time they scoped the problem. Secretary Rumsfeld indicated that major strikes might take up to sixty days to generate because the military did not have a plan for Afghanistan, nor did it have forces in the immediate area.⁴² Other instruments of national power, Rumsfeld indicated, should also be used to prosecute terrorism worldwide.⁴³ Vice President Cheney noted the difficulty of targeting a country like Afghanistan, with a dearth of worthwhile targets.⁴⁴ On the following day, the National Security Council reconvened, and Rumsfeld acknowledged there was very little the military could do immediately. CENTCOM Commander General Franks wanted months to set up for a major military assault, move forces into theater, and establish basing.⁴⁵ While members continued to debate the merits of a narrow focus on al Qaida or broader campaign, they also began to voice policy preferences. Bush acknowledged the American people wanted a response reminiscent of the Gulf War, but that this fight would be longer, less dynamic, and more drawn out.⁴⁶ The Central Intelligence Agency began plans for a robust covert action program that would incorporate paramilitary, logistical, and psychological warfare. The central idea of the plan was to enable the Taliban opposition group, the Northern Alliance, with funds and paramilitary trainers and liaisons, and then pair these forces with US military Special Forces.⁴⁷ The President made a note that the US would not fight the same conventional war the Russians had fought in Afghanistan; he clearly envisioned a

⁴¹ Kathleen R. Rhem, “Bush: No Distinction Between Attackers and Those Who Harbor Them,” American Foreign Press Service, U.S. Department of Defense, September 11, 2001, <http://www.defense.gov/News/NewsArticle.aspx?ID=44910>.

⁴² Woodward, *Bush at War*, 32.

⁴³ Woodward, *Bush at War*, 33.

⁴⁴ Bradley Graham, *By His Own Rules: The Ambitions, Successes, and Ultimate Failures of Donald Rumsfeld* (NY: Public Affairs, 2009), 300.

⁴⁵ Woodward, *Bush at War*, 43.

⁴⁶ Douglas Waller, “Bush Prepares the Generals for a Long War,” *Time*, September 25, 2011, <http://www.time.com/time/nation/article/0,8599,176290,00.html>.

⁴⁷ Woodward, *Bush at War*, 53.

different kind of war.⁴⁸ Bush was also concerned about rushing through the Council meetings too quickly, so he asked the core group to meet at Camp David that weekend, with policy options in hand.⁴⁹

The President marshaled his key advisors at Camp David on 15 and 16 September to flesh out options for the nation's preliminary policy. Tenet proposed destroying al Qaida and eliminating its safe haven in Afghanistan through collaborative covert action between the Agency's paramilitary forces and military Special Forces teams, with broad authorities for the Agency to undertake covert operations without Presidential approval.⁵⁰ The new presidential finding would include the authority to detain suspected terrorists worldwide, as well as blanket approval for lethal action. The Agency's proposal also included working with foreign intelligence agents, stopping cross-border travel from Afghanistan, and a global effort to disrupt terrorist activity in more than eighty countries. Both the President and the Secretary of Defense supported Tenet's proposal, despite the dramatic shift it would entail in national security policy.⁵¹

Chairman Shelton's proposal, on the other hand, was not well received. Shelton described three basic options: first, military forces could conduct cruise missile strikes against al Qaida training camps; second, they could launch a combination of cruise missile attacks and bomber attacks against similar targets, plus some Taliban targets; lastly, option three added elite special forces commando unit operations to the cruise missile and bomber strikes.⁵² The military options underwhelmed the group.⁵³ Rumsfeld expressed skepticism at focusing in on bin Laden too intensely, to the exclusion of other targets worldwide.⁵⁴ This concern, plus general skepticism that the Taliban would hand over al Qaida, even under the pressure of military operations, led the group to consider military action beyond Afghanistan.⁵⁵ The conversation turned to Iraq, but the President was hesitant to dilute the focus of the military effort with multiple campaigns in

⁴⁸ Woodward, *Bush at War*, 53.

⁴⁹ Woodward, *Bush at War*, 63.

⁵⁰ Graham, *By His Own Rules*, 289. See also, Woodward, *Bush at War*, 76.

⁵¹ Woodward, *Bush at War*, 78.

⁵² Donald Rumsfeld, *Known and Unknown: A Memoir* (NY: Sentinel, 2011), 359.

⁵³ Graham, *By His Own Rules*, 290.

⁵⁴ Graham, *By His Own Rules*, 293.

⁵⁵ Graham, *By His Own Rules*, 288, 292, 301.

parallel.⁵⁶ Powell registered his preference for narrowly targeting al Qaida and its leader, but to leave the other terrorist-supporting states for later consideration. Rumsfeld advocated for special operations to promote better intelligence collection, concerned about retaining longer-term flexibility in military operations against terrorism writ large, and declined to opine on Iraq.⁵⁷ Vice President Cheney, allied with Tenet and Powell, advocated refraining from immediate military action against Iraq.⁵⁸

President Bush did not make his policy preferences known until Monday, 17 September, when he reconvened the National Security Council. Bush approved Tenet's proposal for Agency-led covert action as a main element of preventing future attacks on America. He indicated the Taliban should be warned that severe consequences would follow a refusal to hand over bin Laden; those consequences would come in the form of the most robust military action the Chairman had offered during the Camp David meetings.⁵⁹ Rumsfeld recognized that military plans had not evolved sufficiently to meet the President's intermediate objectives, and perhaps not even his near-term ones, which included an immediate and powerful shock to Afghanistan that would send ripples across the world. Rumsfeld was not even certain, at that point, what would follow the initial ten-day air strikes the Chairman had proposed.⁶⁰

Following the Camp David meetings, "Secretary Rumsfeld personally wrote a message to his combatant commanders to guide their development of war plans for the counterterrorism campaign" in search of three objectives: targets worldwide, beyond Afghanistan; human intelligence targets to improve intelligence collection; bold action to deter collusion with terrorists.⁶¹ Weapons-of-mass-destruction targets were mentioned separately, as important to identify no matter where they were located, accompanied by the claim that Muslim interests around the world were threatened by al Qaida's actions, and ultimately, millions of Muslims would become allies of the United States.⁶²

⁵⁶ Woodward, *Bush at War*, 84.

⁵⁷ Graham, *By His Own Rules*, 291, 293.

⁵⁸ Woodward, *Bush at War*, 91.

⁵⁹ Woodward, *Bush at War*, 98.

⁶⁰ Woodward, *Bush at War*, 99.

⁶¹ Feith, *War and Decision*, 55.

⁶² Feith, *War and Decision*, 56-57.

By this point, a week or so following the terrorist attacks, the members of the National Security Council each had a slightly different angle on the best policy approach. From the President's perspective, this was *war*, and war meant exacting quick retribution.⁶³ From the State Department's perspective, the strongest case could be made for targeting al Qaida and the Taliban in a manner that could garner and maintain international support.⁶⁴ On the defense side, the Secretary and his deputies perceived a need for preventive action; action, that is, that would ensure another attack on the United States did not occur.⁶⁵ The members of the Council each displayed the sentiment that, at a minimum, the United States must make a show of force; quickly striking al Qaida in Afghanistan, and the Taliban along with them, if they didn't surrender bin Laden.⁶⁶

In the meantime, Rumsfeld was driving his military general officers to expand the range of their thinking. Part of that effort included the development of plans for seizing Iraq's southernmost oil fields. The signature Rumsfeld "snowflake" had actually arrived at Third Army Headquarters before the Camp David meetings, and signaled the Secretary's intention to be prepared to take military action against Iraq, should it be so desired by the President.⁶⁷ The developing plans for Afghanistan continued to disappoint Rumsfeld, who was concerned that a military operation that did not yield some impressive, visible results may embolden further terrorist attacks on the United States.⁶⁸ After several weeks of adjustments, Deputy Secretary Wolfowitz proposed military cooperation with the Northern Alliance, one of Afghanistan's major anti-Taliban militias in the north of the country, as the central military effort.⁶⁹ Tenet's analysts were concerned about the Pashtun tribes in the south and their hostility toward the primarily ethnic Tajik and Uzbek Northern Alliance, and worried that alignment with the Northern

⁶³ Rumsfeld, *Known and Unknown*, 352.

⁶⁴ Feith, *War and Decision*, 59.

⁶⁵ Bradley Graham, *By His Own Rules: The Ambitions, Successes, and Ultimate Failures of Donald Rumsfeld* (NY: Public Affairs, 2009), 289.

⁶⁶ Accounts of Secretary Rumsfeld's disposition on immediate military strikes vary. In *Bush at War*, Woodward makes it clear that the Secretary believed the campaign had to be much broader than just al Qaida, but doesn't indicate that Rumsfeld dissents with the narrow approach. Woodward, *Bush at War*, 88. Feith, on the other hand, goes as far as to say that "Rumsfeld questioned the assumption that the United States had to respond to 9/11 with immediate military strikes." Feith, *War and Decision*, 66.

⁶⁷ Michael Gordon and General Bernard Trainor, *Cobra II: The Inside Story of the Invasion and Occupation of Iraq* (NY: Pantheon: 2006), 19.

⁶⁸ Feith, *War and Decision*, 64-65.

⁶⁹ Feith, *War and Decision*, 75-77.

Alliance would lead to collaboration between the Pashtun and the Taliban.⁷⁰ The dearth of intelligence made the Agency's alternative proposal to hunt al Qaida exclusively, infeasible; besides that, it worried the Defense Department seniors that it may not sufficiently deter other states supporting terrorism.⁷¹

After three weeks' time, Secretary Rumsfeld developed his strategic thoughts on the way ahead. In a memo titled "Strategic Guidance for the Campaign Against Terrorism," the Secretary emphasized the need to prevent state actors from passing weapons of mass destruction to terrorist elements.⁷² The means to do so would be primarily military; diplomatic pleas would rest on demonstrated military efficacy against state sponsors of terrorism.⁷³ Rumsfeld developed a new strategic idea, however, that the US military need not take the lead role in these counter-state operations; instead, the US could support in-country dissidents to oust regimes supporting terrorism.⁷⁴ Rumsfeld's strategic vision was truly revolutionary; he wrote, "If the war does not significantly change the world's political map, the U.S. will not achieve its aim. There is value in being clear on the order of magnitude of the necessary change. The USG should envision a goal along these lines: new regimes in Afghanistan and other states that support terrorism...Syria out of Lebanon...dismantlement or destruction of WMD..."⁷⁵ In the memo, Rumsfeld considered deferring military strikes in order to develop better target intelligence through indirect means.⁷⁶ General John Abizaid, the Joint Staff J-5 Director, advocated Rumsfeld's strategic vision to the recently appointed General Richard Myers, Chairman of the Joint Chiefs of Staff.⁷⁷ At the next meeting of the Security Council,

⁷⁰ Rumsfeld, *Known and Unknown*, 375-376. See also Feith, *War and Decision*, 78.

⁷¹ Feith, *War and Decision*, 80.

⁷² The Secretary of Defense, "Strategic Guidance for the Campaign Against Terrorism," Memorandum for the Deputy Secretary of Defense, October 3, 2001, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB358a/doc15.pdf>

⁷³ The Secretary of Defense, "Strategic Thoughts," Memorandum for the President, September 30, 2001, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB358a/doc13.pdf>.

⁷⁴ The Secretary of Defense, "Strategic Thoughts," Memorandum for the President, September 30, 2001, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB358a/doc13.pdf>.

⁷⁵ The Secretary of Defense, "Strategic Thoughts," Memorandum for the President, September 30, 2001, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB358a/doc13.pdf>.

⁷⁶ The Secretary of Defense, "Strategic Thoughts," Memorandum for the President, September 30, 2001, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB358a/doc13.pdf>.

⁷⁷ Feith, *War and Decision*, 83.

President Bush approved the strategic concepts Rumsfeld and the Chairman recommended, save delaying military strikes against Afghanistan.⁷⁸

Shortly thereafter, Rumsfeld's proposal was translated into strategic guidance down the chain of command. The guidance identified threats, the need for preventive operations, and a preference to aid native people in their regime change efforts.⁷⁹ The memo relayed Rumsfeld's vision that this war would require a whole-of-government approach, using all instruments of national and allied power.⁸⁰ Rumsfeld specifically delineated the objective of creating international environs hostile to terrorism, but did not see this as the military's role. Feith writes, "The concept of a battle of ideas, however, was not highly developed in this October 3 guidance. *Perhaps this was because primary responsibility for that battle lay outside the Defense Department.* [Emphasis mine.]"⁸¹ Problematically, few other organizations were equipped to manage that responsibility either.

As military operations in Afghanistan got underway, differing perceptions began to arise within the senior levels of US government as to the best course of action for a post-Taliban Afghanistan. Rumsfeld, Wolfowitz, and Feith all considered that continued pressure on the Taliban would send the right message.⁸² Tenet and the intelligence analysts, along with Secretary Powell advocated for increased training for the Northern Alliance, first, and time to develop better inroads with the Pashtun tribes of the South, avoiding potential instability.⁸³ These perceptions reflected a developing fault line between camps; either instability should be a concern for the United States, or it should not. If instability was a factor, then ousting the Taliban leadership could not remain the priority.

Analysis of Formulation Stage

Recall that the initiation stage first serves to narrow the policy solutions available to decision-makers through the act of defining the problem. The policy formulation stage

⁷⁸ Feith, *War and Decision*, 84.

⁷⁹ Feith, *War and Decision*, 84.

⁸⁰ Rumsfeld, *Known and Unknown*, 352-353.

⁸¹ Feith, *War and Decision*, 85.

⁸² Bradley Graham, *By His Own Rules*, 303. See also Feith, *War and Decision*, 100-101.

⁸³ Bradley Graham, *By His Own Rules*, 303. See also, Feith, *War and Decision*, 99-101.

further constricts the options available by identifying the range of potential solutions, informed by rational decision-making, organizational capabilities and limitations, and political interests.⁸⁴ Information asymmetry is still very important during the policy formulation stage, but not quite as deterministic as in the policy initiation stage. The human proclivity for cognitive consistency moderates the impact of information asymmetry as determinate over the policy decision in stage two of the process.

Information Asymmetry

Although information asymmetries existed within multiple principal-agent relationships during the policy-formulation stage, the critical asymmetry lay between the Secretary of Defense and his Combatant Commander, and this exacerbated other informational imbalances. Rumsfeld's continuing disappointment with Franks' inability to propose innovative ideas for military action in Afghanistan and beyond led to his leveraging senior military staff officers to develop proposals along the lines of his strategic vision. In essence, the Secretary was exercising his prerogative as the civilian *principal* in the Department of Defense to get the policy solutions he thought best aligned with the President's desires for the war on terrorism. Problematically, the Secretary also played a key role as an *agent* in helping the President conceptualize the problem and develop the broad outlines of the solution. In essence, policy-formulation hinged on Secretary Rumsfeld—principal *and* agent—as a primary architect of the policy-problem definition and solution. The notions of the Department of Defense senior leaders informed the President's ideas of both problem and solution, and the Secretary threw back the ideas that did not align with the strategic concept. The Secretary of Defense became the pivot point around which policy formulation moved.

Although within a classic, principal-agent relationship, information asymmetry favors the military agent, due to her technical competence in warfare, Rumsfeld effectively turned the information asymmetry advantage on its head. By undercutting Franks' professional judgment through repeated reliance on senior Defense Department officials to craft the broad outlines of the military's strategy, Rumsfeld gained the information-asymmetry advantage. The Secretary not only offset the information

⁸⁴ Allison, *Essence of Decision*.

asymmetry inherent in the principal-agent relationship, but also gained the advantage by interrupting the military chain of command and demonstrating superior technical competence in strategy formulation. Rumsfeld forced Franks to contend with the intervention of both military officers and senior civilians outside the chain of command, in the Secretary's attempt to generate certain types of military solutions. Information asymmetry enabled Rumsfeld to better control the developing strategy of the war on terrorism, which translated into greater influence over the policy that reflected this strategy at the national level.

Rumsfeld's upper hand, however, created a greater information asymmetry between the President and the Department of Defense. Reinforcing his own pivotal role, the Secretary's desire to generate *specific types* of military solutions had the effect of creating a greater gap between the President and the operational commander, General Franks. Rumsfeld exhibited frustration with Franks' lack of inventiveness, yet the Secretary was reliant upon Franks to develop plans for a campaign beyond the scope of his area of responsibility. The Secretary's perception that this was a different type of war colored his expectations of his agent's scope of responsibilities. The expectation undercut Franks' ability and authority to bring relevant policy options forward, and exacerbated the information asymmetry inherent in the principal-agent relationship between the President and his Department of Defense.

Preference Alignment

The range of policy options deliberated during the formulation stage reveal a strong policy preference toward kinetic operations as comprising the primary effort. At no time did members of the National Security Council consider using kinetic operations to support *other* primary efforts. The dramatic policy changes proposed by the Central Intelligence Agency represented new authorities primarily associated with kinetic operations—blanket authorization for lethal covert action. Military proposals similarly ranged the spectrum of kinetic operations, from cruise-missile strikes to boots on the ground. Even Rumsfeld's pitch to delay military strikes on Afghanistan, until better intelligence could be drummed up through military activities elsewhere, reflected the

same focus on kinetic operations, since the intelligence was intended to enable better military strikes.

The Council members first intended kinetic military operations to carry the message around the globe that the United States could not be terrorized. Successful and sensational kinetic military operations against the Taliban and al Qaida in Afghanistan would send such a message, both to the terrorists and their state sponsors. Second, the council sought to eliminate the opportunities for terrorists to prosecute attacks by putting them on the defensive through military operations. If military operations could disrupt terrorist havens, then they would have to spend time seeking new power vacuums to exploit. Third, regimes that permitted terrorism to fester would become targets of the powerful United States and, most importantly, its military. The Council thought that this process could be legitimized if the US supported foreign national dissidents, aiding them to overturn rogue regimes.

Did the preference for kinetic military operations stem from the civilian principals, namely the President, or from the military agents, like Rumsfeld, Myers, and Franks? Rumsfeld's role as a double agent makes a definitive assessment more difficult. A dissatisfied Rumsfeld continually asked Franks to generate fresh ideas about how to prosecute both the Afghanistan campaign and a global campaign on terrorism, repeatedly turning the General back to the drawing board. Rumsfeld is most frequently cited as being put off by Franks' risk aversion—failing to propose courses of action that called for a substantial US ground presence.⁸⁵ The Secretary's policy preference is underscored by his policy advisors' proposals for the CENTCOM Commander to consider planning for major ground operations.⁸⁶ Furthermore, Rumsfeld's 3 October strategic guidance to the Department reflected his thoughts that the information war was not primarily a military mission.⁸⁷ Based on these preferences, Rumsfeld appears to be cut from the Department's cultural cloth; the secretary conceived of operations along a spectrum of kinetic activities, relegating information operations to a subordinate role. This is not to suggest that Rumsfeld did not perceive the importance of information operations in general; in fact, he policed CENTCOM's information operations carefully in order to

⁸⁵ Feith, *War and Decision*, 114-121.

⁸⁶ Feith, *War and Decision*, 122.

⁸⁷ Feith, *War and Decision*, 85.

avoid cultural missteps.⁸⁸ But Rumsfeld also never characterized the Department of Defense as the lead agency for an information campaign, nor did he think that information operations could be—or should be—the primary military effort. Instead, Rumsfeld thought that the whole government would contribute to an informational effort, facilitated by the National Security Council.⁸⁹ Even his Deputy for Policy, Feith, recognized the significant problems the whole-of-government approach entailed, when few departments were experienced, organized, or resourced comparably to the Department of Defense to undertake global counterterrorism operations.⁹⁰ Secretary Rumsfeld, like most of the senior military agents, simply didn't think in terms of fighting a war in the information domain, first, and employing kinetic military action, where appropriate, to support the informational objectives.

Neither did the civilian principals, however. Preferences between principal and agent are strongly aligned in the formulation stage of the policy process because both parties conceive of military operations in terms of kinetic activities. The President was insistent upon a fast, sensational response to the 9/11 attacks, characterizing the attacks as “war” almost immediately after they occurred.⁹¹ Yet the President was reliant upon his National Security Council members to steer him in the right direction, indicating that listening to them prevented him from acting impulsively.⁹² President Bush, Vice-President Cheney, Secretary Rice, and Secretary Rumsfeld rarely had fundamental disagreements that would stimulate deadlock; instead, their more superficial clashes “had the effect of polishing or refining their colliding ideas.”⁹³ None of the members opposed kinetic military action, nor made the case for leading with a battle of ideas. Ideas were subordinate to kinetic military action, the group having failed to recognize that the thread running through military operations, diplomacy, financial sanctions were the ideas that made the efforts purposive.

⁸⁸ Feith, *War and Decision*, 102-103.

⁸⁹ Feith, *War and Decision*, 120.

⁹⁰ Feith, *War and Decision*, 87.

⁹¹ Sammon, *Fighting Back*, 94.

⁹² Woodward, *Bush at War*, 74.

⁹³ Feith, *War and Decision*, 62.

Case Study: Informal Decision Control Level Assessment						
Stages	Info Asymmetry Favors	Preference Similarity	Issue Salience	Mil Decision Control	Civ Decision Control	Outcome
Initiation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Formulation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Validation						
Implementation						
Monitoring						

Figure 13. Case Study Stage II: Informal Decision-Control Level Assessment

Source: Author's own work

Case Study: Informal Decision-Control Level by Stage					
	Initiation	Formulation	Ratification	Implementation	Monitoring
Military	HI	HI			
Civilian	LOW	LOW			



Preferences Most Dominant

Preferences Least Dominant

Figure 14. Case Study Stage II: Informal Decision-Control Level by Stage

Source: Author's own work

Policy Process Stage III: Ratification

Although the policy formulation stage reflected preliminary decisions made by the President, these decisions were made on a hypothetical basis, as various National Security Council members recommended policies without detailed knowledge of their organizational requirements to deliver capabilities and resources in support of those policies. Coordination with a broad and variegated coalition, seeking both practical and prestige benefits, also challenged the principals' ability to formulate detailed policy during the weeks following 9/11. The validation process nominally began on 17

September, following the first Camp David meetings, when the President gave his approval for the sweeping changes in authority for the Central Intelligence Agency, and his broad preferences on the scope of military action (e.g. General Shelton's third option). The core of the validation process, however, started later, after principals, especially from the Departments of State and Defense, began translating policy preferences to their organizations as guidance and waited for organizational responses to their tasks. As these details came forward, more concrete decisions could be made, ratifying specific policies.

The first of these policy realities challenging the National Security Council involved targeting al Qaida and the Taliban in Afghanistan. The broader defense strategy to counter terrorism by enabling native factions like the Northern Alliance posed one significant problem in Afghanistan. The Pashtun majority would resist a complete takeover of the country by the Northern Alliance, so U.S. support to the Northern Alliance had to be sufficient to overtake the north of the country, overturning Taliban authority, but not be enabled so far as to sweep the whole country up under their control. Furthermore, Secretary Powell pointed out, the point was not to eliminate the Taliban regime at the outset, but to pressure them to surrender al Qaida.⁹⁴ Military operations by the Northern Alliance could then be reasonably characterized as the Afghan people breaking with factions of the Taliban that had permitted Arab foreigners to gain control. The Taliban would be given an opportunity to sever ties to al Qaida before being targeted by the United States. The difficulty in doing so was inadequate intelligence to discriminate between them, making the strategy problematic.

Boots on the ground were the means to differentiate between al Qaida and the Taliban, to shake out new intelligence, and to provide the right image of US operations. Rumsfeld was careful to clarify: small numbers of ground forces, special operators, would make parts of Afghanistan inhospitable to the enemy and dust up good intelligence, but would also convey that US soldiers were not an occupation force.⁹⁵ Ground forces required insertion, and insertion in Afghanistan required mobility that wasn't possible on the ground in the near term. Basing and overflight agreements were not yet solidified, making the recommendation to insert special operators infeasible as an

⁹⁴ Woodward, *Bush at War*, 124.

⁹⁵ Rumsfeld, *Known and Unknown*, 359-360.

immediate option. Beyond airlift for troop insertion, combat-search-and-rescue resources had to be positioned in sufficient proximity to enable recovery of US personnel.

The success of the proposed policy hinged on the threat the President had made to the Taliban: surrender al Qaida or suffer the consequences. At the National Security Council meeting on September 26th, Secretary Rumsfeld pointedly argued that the Taliban was still continuing to harbor al Qaida, more than two weeks after their attacks on the United States.⁹⁶ Every day they continued to do so undercut the legitimacy of the President's threat. Woodward writes, "For many days the war cabinet had been dancing around the basic question: How long could they wait after September 11 before the US started going 'kinetic,' as they often termed it, against al Qaeda in a visible way. ... A full military operation—air and boots—would be the essential demonstration of seriousness—to bin Laden, America and the world."⁹⁷ The President pressed for action to begin the following week, in four or five days, seeking to provoke a response from his subordinates that revealed their actual readiness.⁹⁸ As it turned out, simultaneous operations between air and ground could not yet be accomplished because basing arrangements had not gelled with allied nations, and combat search and rescue could not be ensured.⁹⁹

The President expressed his frustration with continued delays from the Department of Defense to his National Security Advisor. The President used Advisor Rice as a buffer between himself and the rest of his security staff, allowing her to defuse tensions and communicate expectations. Rice warned the Secretary of Defense that the President was getting anxious for decision, and decision required timing details.¹⁰⁰ Further coordination with the allies was needed; airfield assessments, permissions to stage special operations forces, and better target intelligence prevented Presidential decision and delayed the initiation of operations. Rumsfeld indicated air strikes had become more feasible, and special operations on the ground, less. The President

⁹⁶ Woodward, *Bush at War*, 146, 150.

⁹⁷ Woodward, *Bush at War*, 150.

⁹⁸ Woodward, *Bush at War*, 150.

⁹⁹ Woodward, *Bush at War*, 151.

¹⁰⁰ Woodward, *Bush at War*, 158.

conceded to the military judgment, indicating that they would include special operations later, when conditions were sufficient.¹⁰¹

Meanwhile, the President queried the Council about humanitarian efforts, intent to broadcast the message that the United States did not seek to punish the Afghan people. Bush posed the question to his Secretary of Defense and the Chairman, “Can the first bombs be food?”¹⁰² Aside from practical considerations of assuring air superiority before airdrop delivery of aid, the Council members appeared to “get it,” at least from the President’s perspective.¹⁰³ Days later, Advisor Rice listened to General Shelton’s plans for a few C-17s to provide aid in conjunction with the Department’s military operations.¹⁰⁴ Rice clarified, “A major humanitarian effort is required. … We need to develop a humanitarian campaign and get it in swing next week.”¹⁰⁵ Woodward writes, “She seemed frustrated. *The principals, other than Powell, seemed more interested in war than the humanitarian assistance the president had emphasized.* [Emphasis mine.]”¹⁰⁶

Combat-search-and-rescue basing continued to plague the Department of Defense and prevent policy ratification. Rumsfeld did not expect the capabilities to be available and in position until 15 October, more than two weeks away.¹⁰⁷ Chairman Myers tried to assuage the Council members’ concerns with assurances that the rescue problem would be solved; at present, only operators in the south of the country would be able to count on rescue, preventing simultaneous air strikes in both the north and south of Afghanistan.¹⁰⁸ To line up ground-targeting operations with rescue capabilities, the military intended to move the USS *Kitty Hawk*, with special operators aboard, into theater. Secretary Powell recognized that the *Kitty Hawk* did not offer immediate capabilities, however, needing more than ten days to arrive, and asked Myers to acknowledge as much.¹⁰⁹ As the Council continued to discuss the matter, White House Chief of Staff Andy Card wanted

¹⁰¹ Woodward, *Bush at War*, 165.

¹⁰² Woodward, *Bush at War*, 130.

¹⁰³ Woodward, *Bush at War*, 130-131.

¹⁰⁴ Woodward, *Bush at War*, 159.

¹⁰⁵ As quoted in Woodward, *Bush at War*, 160.

¹⁰⁶ Woodward, *Bush at War*, 160.

¹⁰⁷ Graham, *By His Own Rules*, 300.

¹⁰⁸ Woodward, *Bush at War*, 179.

¹⁰⁹ Woodward, *Bush at War*, 179.

to make the timeline explicit, sensing the President's expectations differed from the discussion.¹¹⁰ The best estimate for commencing air operations simultaneously in both regions of the country was still six days away. As Secretary Powell recapped the broad outline of the post-9/11 policy for the group, he relegated the military's activities to one small part of the overall effort, provoking Rumsfeld's ire.¹¹¹

Secretary Rumsfeld was increasingly frustrated with General Franks' inability to be creative in developing military solutions.¹¹² Specifically, Franks' failure to propose actions outside of the Central Command area of responsibility, in support of the wider effort against terrorism, and apparent reluctance to use ground forces, provoked Rumsfeld into using other senior leaders to develop military plans that better reflected the broader strategic effort.¹¹³ In late October 2001, the Vice Chairman of the Joint Chiefs, General Peter Pace, Abizaid's deputy, General Michael Dunn, and Feith developed broad ideas for the war on terror to pass to Central Command, including: ousting the Taliban from a major city, a massive humanitarian effort, planning for major ground operations, and establishing a government in exile.¹¹⁴ In *War and Decision*, Feith makes it clear that Rumsfeld did not want to thwart Franks' professional judgment as a matter of principle, but "deference to such judgments would not excuse his forfeiting the strategic control that is the inalienable responsibility of the only two civilians in the military chain of command."¹¹⁵

Secretary Rumsfeld searched for solutions that would accelerate the timeline, making the recommendation to move forward with air strikes in the north without combat search and rescue on Tuesday, October 2nd. The Secretary proposed using high-altitude, radar-evading B-2 strike aircraft and cruise missiles in the north, reserving tactical fighter aircraft for the south, where rescue could be provided.¹¹⁶ It was not ideal; the B-2s were not the best platforms to use in the north, but it would mean air operations could

¹¹⁰ Woodward, *Bush at War*, 180.

¹¹¹ Woodward, *Bush at War*, 182.

¹¹² Bradley Graham, *By His Own Rules*, 296.

¹¹³ Bradley Graham, *By His Own Rules*, 301. See also Feith, *War and Decision*, 114-121.

¹¹⁴ Feith, *War and Decision*, 122.

¹¹⁵ Feith, *War and Decision*, 122.

¹¹⁶ Woodward, *Bush at War*, 188.

commence sooner.¹¹⁷ By October 4th, however, a new key regional partner, Uzbekistan, had authorized search and rescue from its territory, and special operators were in transit to the theater.¹¹⁸ Although simultaneous air and special ground operations couldn't take place immediately, special operations would commence soon after the air strikes, and the covert, combined Central Intelligence Agency and military teams were already on the ground. The President finally gave the green light for air operations to begin on October, 7th, twenty-six days following al Qaida's dramatic attacks.¹¹⁹

Analysis of Ratification Stage

The ratification stage of the policy process signifies the end of negotiations between actors and the selection of a policy solution. In practice, this phase of the policy process is on-going in a crisis situation, where policy is developing so rapidly that validation is repeatedly required according to changing circumstances or available information. While information asymmetries are characteristically lower during the ratification stage, because the primary ideas shaping policy have already been introduced in earlier stages, the case study provides ample evidence that the military agent exploited information asymmetries most greatly during this stage.

Information Asymmetry

Greater evidence of information asymmetries emerged between civilian principal and military agent during the ratification stage of the policy process, as the Secretary and Chairman struggled to outline their capabilities. The Department of Defense faced some high hurdles; the intelligence coming out of the Agency was insufficient for targeting, so getting special operators on the ground on Afghanistan was critical to becoming effective. Those operators, however, need time to be staged, and required combat-search-and-rescue forces available and in place before they could commence ground operations. The President clearly wanted decision; too much time had elapsed between the 9/11 attacks and America's response. Yet, Bush understood the conundrum the military faced,

¹¹⁷ Woodward, *Bush at War*, 188.

¹¹⁸ Graham, *By His Own Rules*, 300.

¹¹⁹ Mark Memmot, "Ten Years Ago Today, President Bush Announced Strikes on Afghanistan," National Public Radio Online, October 7, 2011, <http://www.npr.org/blogs/thetwo-way/2011/10/07/141150294/ten-years-ago-today-president-bush-announced-strikes-on-afghanistan>.

and *believed* they were working quickly to align and position key resources like special operators and search-and-rescue forces. Was the military agent working or shirking? Huntington’s insight about the latent and manifest functions of the military professional may be operative in this stage of the policy process.¹²⁰ The military agent, losing power once at war, delays going to war in order to find the best ways to minimize power loss during war. Secretary Rumsfeld appeared to want to accelerate the timeline according to the President’s wishes—so much so that he advocated inappropriate weapon-to-target pairings. On the other hand, in several instances, the military agents were caught red-handed generalizing or obfuscating information they could have made explicit, providing them greater control over the timing. Two weeks after the 9/11 attacks, the President *still* did not have a clear understanding of when the United States could go kinetic. In a 30 September meeting, General Myers fessed up to the USS *Kitty Hawk*’s transit time, but only after civilian Secretary Powell’s prodding. The Chairman was apparently uninterested in revealing a clear search-and rescue-timeline, offering only that the Department would “solve it.”¹²¹ White House Chief of Staff Card felt compelled to clarify the timeline before the end of the meeting, alluding to his perception that the impression being given to the President was different than the meeting revealed. In essence, it appears the military agents were exploiting their inherent information-asymmetry advantage, keeping timing details murky in order to maintain greater control over their manifest function—going to war. The participation of former military officers, like Colin Powell, helped to moderate the impact of the information asymmetry, wresting back a modicum of control from the military agents.

Preference Alignment

Secretary Rumsfeld’s drive to use the B-2s against ground targets in the north of Afghanistan could also be interpreted as the agent’s preference for kinetic action, despite lacking the proper tools to achieve the desired effects. The B-2’s high-altitude, non-visual bombing offered little hope of target destruction, and degraded effects as compared with tactical air platforms. Instead, the military agent’s strong preference for

¹²⁰ Huntington, *The Soldier and the State*, 69.

¹²¹ Woodward, *Bush at War*, 179.

kinetic action trumped considerations of efficacy. This preference, however, appeared to be in line with the President's desire for swift and visible military action, making the proposition more palatable, and more likely to be ratified.

National Security Advisor Rice was forced into a policing role over the military agent as a result of policy-preference disparities between the President and his military representatives. Rice noted the lack of progress made by the Defense Department in generating a humanitarian effort for Afghanistan. It was a problem of scope; the token C-17s they'd proposed clearly did not meet the President's intent to send a message that America's military operations against Afghanistan were not directed at the Afghan people. Given the President's explicit question to his military agents about whether the "first bombs could be food?" Rice appeared to feel their effort was insincere. In other words, the military agents were *shirking*, and their shirking reflected their cultural preference for kinetic action. The military agents policy preference for kinetic action seems even more poignant when juxtaposed with Rumsfeld's advocacy for mismatched weapons-to-targets. Importantly, these preferences appeared to create noticeable divergence between the civilian principal and his military agents.

Finally, Secretary Rumsfeld chafed at Secretary Powell's broad characterization of the fresh national security policy as minimally dependent on military operations, revealing organizational-behavior preferences.¹²² To validate Rumsfeld's on-going defense transformation and to secure resources to continue that effort, Rumsfeld was interested in the military playing a central role in the new national security policy. Fortunately for Rumsfeld, his civilian principal, President Bush, appeared to feel similarly. Ultimately, the President, with the advice of his National Security Council, ratified the military's kinetic policy.

¹²² Allison and Zelikow, *Essence of Decision*, 155, 156, 255, 256.

Case Study: Informal Decision Control Level Assessment						
Stages	Info Asymmetry Favors	Preference Similarity	Issue Salience	Mil Decision Control	Civ Decision Control	Outcome
Initiation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Formulation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Validation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Implementation						
Monitoring						

Figure 15. Case Study Stage III: Informal Decision-Control Level Assessment
Source: Author's own work

Case Study: Informal Decision-Control Level by Stage					
	Initiation	Formulation	Ratification	Implementation	Monitoring
Military	HI	HI	HI		
Civilian	LOW	LOW	LOW		

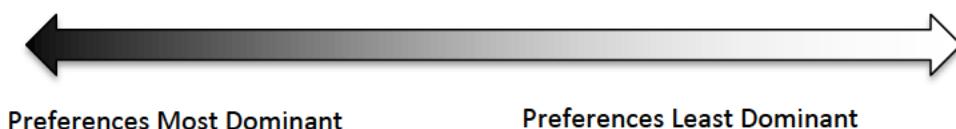


Figure 16. Case Study Stage III: Informal Decision-Control Level by Stage
Source: Author's own work

Policy Process Stage IV: Implementation

As in evidence in earlier stages, the implementation stage began in parallel with other stages of the policy processes. The beginning of the implementation stage followed the President's decision to launch covert, combined intelligence and military teams into Afghanistan in support of the Northern Alliance. On 20 September, Operation Jawbreaker was launched into Afghanistan to hunt down bin Laden. Overt, large-scale operations, however, required far more planning and resources; it was 7 October before the first wave of air strikes hit al Qaida training camps and Taliban military installations. The Sunday strikes were conducted with fifty Tomahawk cruise missiles, twenty-five carrier-based multirole fighter aircraft, and fifteen bombers pointed at thirty-one al Qaida

and Taliban military targets.¹²³ Airstrikes continued around the clock, and by the third day of air operations, General Franks was challenged to find sufficient military targets in the underdeveloped country.¹²⁴ Meanwhile, the ground situation was on hold until the outcome of the air strikes could be determined; initial battle damage assessments indicated targets were being destroyed at a rate of 50 percent.¹²⁵ The Council wanted to minimize collateral damage, which prompted the targeting of remote areas, where the effectiveness of strikes was more modest. Humanitarian operations and leaflet drops were also underway, but special operators wouldn't be inserted for at least another week, and then only in the South. During several Council meetings, Rumsfeld lobbied for parallel military operations outside of Afghanistan, but was repeatedly shut down by his fellow Council members. Secretary Rumsfeld also identified a need to find a way to seal up Afghanistan and prevent bin Laden and his cronies from escaping.¹²⁶ President Bush disagreed, indicating that a terrorist on the run wasn't plotting attacks.¹²⁷

The National Security Council members had already begun to grapple with the challenge of a post-Taliban Afghanistan.¹²⁸ On Wednesday, October 3, the members discussed the low probability that the Taliban would change course and hand over al Qaida, which would compel regime change. Who would govern? Regime change was an explicit part of the broad policy developed in the last few weeks, and Afghanistan would likely be the first test case. The President was vehemently opposed to using the military for nation-building; the strong stance he took had been a part of his campaign platform.¹²⁹ With Soviet lessons from Afghanistan framing their thoughts, "everyone in the room knew they were entering a phase of peacekeeping and nation building."¹³⁰ Yet, the President was insistent that the military refrain from stabilizing Afghanistan after military operations had concluded, advocating instead that the United Nations fulfill that mandate.¹³¹ The President reasserted his position, chastising the group: "There's been

¹²³ Woodward, *Bush at War*, 210.

¹²⁴ Graham, *By His Own Rules*, 300.

¹²⁵ Woodward, *Bush at War*, 216.

¹²⁶ Woodward, *Bush at War*, 224.

¹²⁷ Woodward, *Bush at War*, 224.

¹²⁸ Graham, *By His Own Rules*, 303.

¹²⁹ Woodward, *Bush at War*, 192.

¹³⁰ Woodward, *Bush at War*, 192.

¹³¹ Woodward, *Bush at War*, 237.

too much discussion of post-conflict Afghanistan. We've only been at it for a week. We've made a lot of progress, we've got time. It may take a while. A rush to conclusion on Afghanistan after just one week is too premature.”¹³²

On the one-month anniversary of 9/11, the Council was preoccupied with motivating the Northern Alliance appropriately. Special operations forces still were not in the country, and the Council was divided over whether the Northern Alliance should seize Mazar-e-Sharif or Kabul first.¹³³ Given the Pashtun rivalry with the Northern Alliance, seizing the capital city first might be risky; plus, it was questionable whether the Northern Alliance was sufficiently armed to do so.¹³⁴ The air strikes weren't achieving the Council's desired effect of fragmenting the Taliban, and the Council members stressed the need for a political vision for Kabul that would include the Pashtun majority.¹³⁵ The Council considered seeking a UN force to secure Kabul after the Northern Alliance ousted the Taliban from the area.¹³⁶ Vice President Cheney noted that the Council's discussion revolved around the Taliban, asking, “Do we have an equally vigorous program against al Qaida?”¹³⁷ But the only US ground presence in Afghanistan in mid-October was one covert Jawbreaker team that lacked sufficient resources and training to serve as terminal-attack controllers, and that could only do so much to improve intelligence. The Northern Alliance resisted taking the offensive until the “front lines” of the Taliban and al Qaida had been bombed, but the small team lacked sufficient contacts and intelligence to validate the targets the Northern Alliance proposed, creating frustration on all sides.¹³⁸ A second Jawbreaker team began operations in Afghanistan on October 16th, with plans for a third in four days, along with three Special Forces teams.¹³⁹ Without ground operators to develop contacts and validate targets, the Department of Defense lacked the intelligence necessary to make further targeting effective.

Problems between the Central Intelligence Agency and the Department of Defense cropped up over the issue of which agency was responsible for getting the

¹³² Woodward, *Bush at War*, 241.

¹³³ Graham, *By His Own Rules*, 303, 304.

¹³⁴ Woodward, *Bush at War*, 230-233.

¹³⁵ Graham, *By His Own Rules*, 306. See also Woodward, *Bush at War*, 233.

¹³⁶ Woodward, *Bush at War*, 236.

¹³⁷ As quoted in Woodward, *Bush at War*, 233.

¹³⁸ Graham, *By His Own Rules*, 304. See also Woodward, *Bush at War*, 238-239.

¹³⁹ Woodward, *Bush at War*, 243.

Northern Alliance to advance on the Taliban. General Franks awaited the Jawbreaker team's signal that the Northern Alliance planned to advance before he halted the air strikes.¹⁴⁰ The Northern Alliance, however, desired air strikes against specific targets before they advanced. If these targets could not be validated by the US presence on the ground, the United States could not support the requests. It was a catch twenty-two that could not be solved until the United States had a more robust ground-force disposition. Rumsfeld pointed his finger at the Agency; they were in charge, and it was their strategy, he asserted.¹⁴¹ The Agency disagreed, indicating they were merely supporting General Franks.¹⁴² Richard Armitage, Deputy Secretary of State, indicated that the situation was "FUBAR," because it appeared nobody knew who was in charge.¹⁴³ The President was quick to clarify: I am in charge!¹⁴⁴ Secretary Rice pulled Rumsfeld aside following the messy meeting.¹⁴⁵ Secretary Rumsfeld resisted her pinning the rose to him for responsibility over the Jawbreaker teams, indicating that he did not want to usurp the Agency's mission. Rice told Rumsfeld, "this is now a military operation and you really have to be in charge."¹⁴⁶ The group was confounded by Rumsfeld's lack of clarity on this matter of his team's subordination to General Franks.¹⁴⁷

By October 20th, a few US special operations teams were on the front lines in the north of Afghanistan, designating targets for air strikes and drumming up better intelligence. The Northern Alliance still wasn't moving; they were unimpressed by the scale and scope of American air strikes.¹⁴⁸ The Council became concerned that their strategy needed modification, perhaps by becoming more directly involved in the military ground fight. Rumsfeld was preparing contingency plans that would put five divisions of troops on the ground, just in case the Northern Alliance couldn't or didn't succeed.¹⁴⁹ The President reassured the Council; they should stay the course, despite their only

¹⁴⁰ Woodward, *Bush at War*, 243.

¹⁴¹ Graham, *By His Own Rules*, 302.

¹⁴² Woodward, *Bush at War*, 243.

¹⁴³ FUBAR is a colloquial military acronym that means "(expletive omitted) up beyond all recognition." Woodward, *Bush at War*, 243.

¹⁴⁴ Woodward, *Bush at War*, 244.

¹⁴⁵ Graham, *By His Own Rules*, 302.

¹⁴⁶ Woodward, *Bush at War*, 245.

¹⁴⁷ Graham, *By His Own Rules*, 302.

¹⁴⁸ Rumsfeld, *Known and Unknown*, 389. See also Feith, *War and Decision*, 124.

¹⁴⁹ Woodward, *Bush at War*, 254, 265-266.

incremental progress.¹⁵⁰ Even so, the Secretary of Defense and the General Franks planned for a potential major land war.¹⁵¹ Vice President Cheney validated the planning effort; he considered it necessary in case the United States needed to accelerate operations, say, in the event of another terrorist attack.¹⁵² To boot, the Secretary of Defense and CENTCOM Commander had more obstacles to overcome within the framework of the current strategy. The few special operations teams in-country had been successful in improving air operations, but the small number of them continued to hamper progress.¹⁵³ Rumsfeld explained: poor weather, basing restrictions, and collaboration with their partners on the ground were three disparate factors having the combined effect of delaying the insertion of additional teams.¹⁵⁴

By early November, however, the Northern Alliance moved against Mazar-e-Sharif, encouraging Taliban defections with US cash along the way.¹⁵⁵ The city capitulated to Northern Alliance fighters in the first half of the month, after which point the Council planned to open up the northern land resupply route as soon as Uzbekistan would agree. Within days of seizing Mazar-e-Sharif, the Northern Alliance continued its offensive stride, this time against Kabul.¹⁵⁶ As the Council members sensed the tide shifting in their favor, they sought out General Franks' counsel on how to best manage stability operations in the conquered cities.¹⁵⁷ While the Vice President was concerned over political considerations in a post-Taliban Kabul, Rumsfeld attempted to redirect the Council's focus back to the military objective: finding, fixing, and finishing al Qaeda.¹⁵⁸

The last half of November saw the fall of Kabul, through the combined effort of the Northern Alliance and US airpower.¹⁵⁹ When an American air strike destroyed a long-standing hilltop television antenna that eluded the Soviet bombers during the 1980s, the Taliban fighters recognized the die had been cast.¹⁶⁰ The Taliban fled Kabul. Days

¹⁵⁰ Graham, *By His Own Rules*, 305.

¹⁵¹ Woodward, *Bush at War*, 265-266.

¹⁵² Woodward, *Bush at War*, 291.

¹⁵³ Donald Rumsfeld, *Known and Unknown*, 392, 395-396..

¹⁵⁴ Graham, *By His Own Rules*, 304. See also Woodward, *Bush at War*, 280.

¹⁵⁵ Woodward, *Bush at War*, 298-299.

¹⁵⁶ Donald Rumsfeld, *Known and Unknown*, 395, 399.

¹⁵⁷ Woodward, *Bush at War*, 306.

¹⁵⁸ Woodward, *Bush at War*, 307.

¹⁵⁹ Graham, *By His Own Rules*, 306.

¹⁶⁰ Woodward, *Bush at War*, 312.

later, the Northern Alliance controlled roughly fifty percent of the country, and captured Kandahar in early December, further expanding its control.¹⁶¹ Although this period did not mark the end of combat in Afghanistan for the United States, it signified a major transition. In line with US policy, combined forces had succeeded in ousting the Taliban from power, primarily through the use of Afghan proxy fighters, and now faced the challenge of consolidating support for a post-Taliban government amongst the warlords in the South. The Council had made good the President's commitment to prosecute those who harbored terrorists. Encouraged by their early successes, the effort in the south of the country appeared less daunting.

At the same time, the Council's post-Taliban political vision began to materialize. At the UN-sponsored Bonn Conference in December, an Afghani *loya jirga* established an interim government led by Hamid Karzai, an important Pashtun clan leader.¹⁶² The Afghans requested a multinational peacekeeping force to secure their capital city, in an attempt to prevent the Northern Alliance from ruling Kabul and fueling Pashtun enmity.¹⁶³ But the enthusiasm to provide resources for the International Security Assistance Force flagged without promises of US funds.¹⁶⁴

The Council began examining a broader scope, now that Afghanistan was on track to transition to a post-Taliban government under Karzai. Global terrorism got put on the chopping block: Israel and Palestine would be put under pressure by Secretary Powell, Tenet would track down leads in Iran, and Iraq would pop back up on the scope. Iran, North Korea, and Iraq topped the list of evil enemies in President Bush's 2002 State of the Union address, hinting at where the Council would next direct its efforts.¹⁶⁵

Analysis of the Implementation Stage

Although the implementation stage offers significantly less opportunity for actor preferences to shape the policy decision—because that decision has already been made—

¹⁶¹ Woodward, *Bush at War*, 313.

¹⁶² Rumsfeld, *Known and Unknown*, 404.

¹⁶³ Feith, *War and Decision*, 134.

¹⁶⁴ Feith, *War and Decision*, 156-157.

¹⁶⁵ Office of the Press Secretary. The President's State of the Union Address. The United States Capitol, Washington, D.C. January 29, 2002. <http://georgewbush-whitehouse.archives.gov/news/releases/2002/01/20020129-11.html>

the implementation stage does offer the military agent a prime opportunity for *shirking*. If the policy decision is not aligned with military agents' preferences, then they possess an opportunity to manipulate the policy in the implementation stage in a number of ways. First, military agents may choose to implement the policy differently than the policy-maker intended. Second, agents may undercut the policy by making it appear less effective. Third, military agents may deliberately deviate from the prescribed policy out of consideration for military efficacy or operational prudence. There are multiple possibilities for military agents to intentionally manipulate the implementation of the policy, irrespective of a pure or devious impetus. In essence, military agents' expertise permits them a degree of flexibility over implementing policy, enabling further opportunity for their preferences to shape the impact of the policy decision, if not the decision itself. In this way, military agents possess an advantage over their civilian principals in the initiation stage of the policy process.

Information Asymmetry

Information asymmetry has the opportunity to play a significant role in the implementation stage of the policy process, as military agents possess an inherent information advantage in their experience with the military arts. Although military agents typically have the capability to exploit the information asymmetry in the implementation stage, the crisis situation in which the post-9/11 policy was implemented provided near-immediate and more intense monitoring than policy implementation in peace time, leaving less opportunity for *shirking*. Secretary Rumsfeld, Chairman Myers, and General Franks appeared to implement the Council's post-9/11 policy without evidence of *shirking*. A mostly open, transparent dialogue occurred between the civilian principals and their military agents in the implementation stage, perhaps an unusually transparent effort as a result of the difficulty posed by seeking results through proxy forces in a less accessible part of the world. The logistical impediments presented significant hurdles for the military agents that often required coordinating with external agencies and governments. Beyond the practicalities of logistics, however, the Council contended with a reluctant and relatively unknown proxy force in the Northern Alliance. Hence, the military agent became significantly less responsible for the outcome on the

ground. These challenges promoted a stronger ethos of cooperation as the Council collectively grappled with the new war-fighting paradigm. Nonetheless, Iraq would present the opportunity to do things in more regular fashion.

Preference Alignment

Preferences between the civilian principal and military agent were somewhat aligned during the initiation stage of the policy process. President Bush revealed a strong preference to keep US military forces out of nation-building activities. The Vice-President, on the other hand, seemed to harbor strong concerns that another terrorist attack would befall the country, and preferred to have the capability to quickly ratchet up the intensity of military action in Afghanistan, if necessary. He advocated the military agents' planning for a major US ground invasion, despite the President's clear preferences to avoid a quagmire and to stay loyal to the current strategy.

The President and Secretary Rumsfeld differed over the best strategy for capturing bin Laden. Rumsfeld advocated sealing off the borders of Afghanistan to try and contain bin Laden, whereas the President just wanted to keep him on the move. But the biggest divergence between military agents and civilian principals appeared to be over the priority to be given to post-Taliban stability. The President did not want the Department of Defense to be responsible for stabilizing Afghanistan. The Vice-President and most of the Council members, on the other hand, didn't see much of an alternative to the military's stabilization role. The Secretary of Defense tried to redirect focus back to the military campaign, suggesting that the military objective to eliminate al Qaida should be the driving factor for their guidance to the Northern Alliance, not the stability of Afghanistan. This particular policy preference constituted a rather significant divergence from the civilian principals'.

Too, because information asymmetry continued to favor the military agent and principal-agent preferences were not aligned, it is impossible to determine which actor's preferences would have been more influential over the policy outcome in the initiation stage. Although preferences between actors aligned only somewhat during the initiation stage, this was about to change. The monitoring process began to reflect positive

progress, freeing up the Council to focus on another piece of the national policy where much greater preference alignment would be found: Iraq.

Case Study: Informal Decision Control Level Assessment						
Stages	Info Asymmetry Favors	Preference Similarity	Issue Salience	Mil Decision Control	Civ Decision Control	Outcome
Initiation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Formulation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Validation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Implementation	Mil	Dissimilar	HIGH	LOW	HIGH	Undetermined
Monitoring						

Figure 17. Case Study Stage IV: Informal Decision-Control Level Assessment

Source: Author's own work

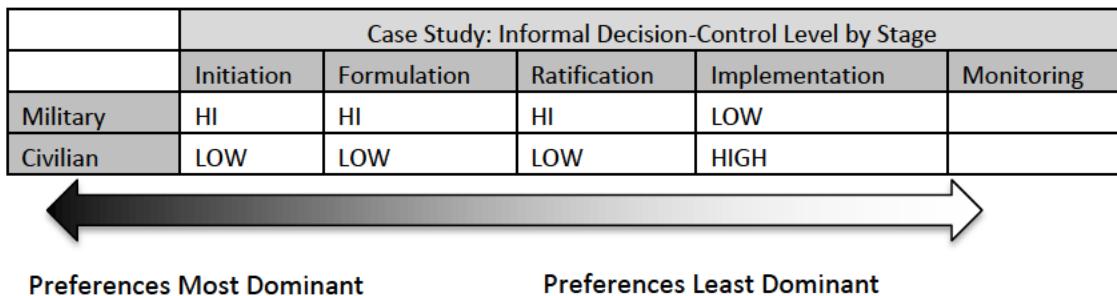


Figure 18. Case Study Stage IV: Informal Decision-Control Level by Stage

Source: Author's own work

Policy Process Stage V: Monitoring

The initial successes achieved in Afghanistan seemed to validate the selected strategy. With fewer than four thousand US forces, the major Taliban strongholds in the north fell to the US-supported Northern Alliance, and Hamid Karzai was selected as the head of the provisional government. The National Security Council closely monitored the war's progress, meeting at the Principal or Deputy level nearly every day. The nature of the crisis situation they found themselves in created a very dynamic policy process; the

gap between initiation and implementation was only a matter of hours. President Bush addressed the nation on the evening of 9/11, taking the first step in enacting a policy that made no distinction between terrorists and those who gave them asylum.¹⁶⁶ In this regard, the monitoring stage of the policy process is in evidence throughout all stages, largely providing the critical feedback that enabled the Council to continue to shape national policy for effect.

As the post-9/11 policy developed and the Council monitored results in Afghanistan, several within the Department of Defense thought that the nation's new policy needed to include a heavy informational effort. The U.S. Government lacked an organization dedicated to this kind of strategic communication; the Department of State focused on foreign policy, while Defense focused on managing the media's spin on military operations and the use of information to affect the battle space, or psychological operations. Key personnel within Defense—Rumsfeld, Wolfowitz, Myers, Pace, and Feith—seized upon the importance ideas could and should play within a war of ideologies.¹⁶⁷ A strategic informational campaign did not gain any traction with Powell and Armitage, who viewed the resolution of terrorism as fundamentally linked to the Arab-Israeli conflict—a foreign policy problem, not an informational one.¹⁶⁸ With Rumsfeld's permission, Feith created the Office of Strategic Influence, a new organization in the Pentagon's corridors to tackle the task of unifying the message elements through information policy. Although it resided within the Department, if successful, the organization could shape the effectiveness of the *national* message that America was not at war with Islam.¹⁶⁹ Feith's new brainchild sought to stimulate the development of a narrative from the moderate Muslim communities about the divergence between extremist Islamic ideologies, like that of al Qaida, and Islamist ideologies, which espoused a particular political position advocating for Muslim government and *sharia*

¹⁶⁶ "Text of Bush's Address," CNN, September 11, 2001, <http://archives.cnn.com/2001/US/09/11/bush.speech.text/>.

¹⁶⁷ Feith, *War and Decision*, 167.

¹⁶⁸ Feith, *War and Decision*, 170.

¹⁶⁹ Feith does not suggest that the Office of Strategic Influence had any intention to usurp national messaging, but noted the deficit and the need for, at least, information coordination across DoD and strategies that countered the jihadist ideology. Feith, *War and Decision*, 171.

law.¹⁷⁰ Organizational resistance to the new office and its cutting-edge mission stymied the effort before it was sufficiently developed. Feith points to the Assistant Secretary of Defense for Public Affairs, Victoria Clarke, as the his chief impediment; Clarke worried the office would undercut the legitimacy of her organization, and its impartiality to military operations.¹⁷¹ In February, an unknown source leaked to the press that the new office intended to potentially provide false news information to foreign media in attempt to influence public sentiment. After a rigorous legal review, Defense lawyers could not turn up any evidence that the organization had ever espoused any intent to deceive. It was too late, however; the allegations and press hype were enough to compel Rumsfeld to do damage control and shut down the organization.¹⁷² The life span of the Office of Strategic Influence was less than four months.

Analysis of the Monitoring Stage

The monitoring stage of the policy process offers the civilian principal significant leverage over the military agent through monitoring mechanisms that reduce the military agents' autonomy. Monitoring mechanisms, in Feaver's principal-agent construct, enable civilian principals to incentivize or threaten military agents through rational cost-benefit analysis. As monitoring mechanisms become more intrusive, military agents lose autonomy, which prompts them to *work*. Intrusive monitoring also enables the detection of military agents' *shirking* behavior. Civilian principals rely upon a combination of monitoring and punishment mechanisms to hold military agents to account and to modify their *working* or *shirking* behavior. Information asymmetries can be high during the monitoring stage, if principals' monitoring costs are too high, or if military agents exploit their expertise to mask operational details. Preferences play less of a role in influencing the policy outcome in the monitoring stage of the policy process because the actors have less opportunity to shape the policy solution once the process is in the monitoring stage, typically. In crisis situations, especially, the policy process is extremely dynamic and feedback from policy monitoring informs on-going policy formulation.

¹⁷⁰ Feith, *War and Decision*, 168-169.

¹⁷¹ Feith, *War and Decision*, 172.

¹⁷² Feith, *War and Decision*, 167-176.

Information Asymmetry

Secretary Rumsfeld, Chairman Shelton and then Myers, as well as General Franks played key roles in enabling the Council to monitor the war's progress. In several instances, however, these military agents permitted information to be delivered without the maximum clarity possible—they *shirked*. Secretary Rice was a critical link in policing the Council members and holding them to account for realistic appraisals and truthful details the President needed for informed decision-making. Rumsfeld had been her target more than once.¹⁷³ The timeline to get special operations forces in-country was not crystal clear, nor was his command-and-control arrangement with the sole Jawbreaker team on the ground in Afghanistan. It appeared the Secretary was attempting to evade an association with operations of suspect efficacy, obfuscating information in an effort to mask potential military shortcomings. Chairman Myers similarly sought to palliate the problems of search and rescue by using unfamiliar operational details; only a former military man would have detected the feint. Powell sought out the clarifying information for the group: the USS *Kitty Hawk* would take over ten days to get into position.¹⁷⁴

On the whole, however, the military agents appeared to be *working*, providing honest, candid appraisals of the war's progress. By November 2001, General Franks, for example, had taken to recounting for the President his top operational action items for the week. “These are the things I’m working on this week...,” the General would say.¹⁷⁵ Chairman Myers reported back daily air strike results, indicating how many targets might need to be reevaluated of those struck. Sometimes successful target kills rang in at less than fifty percent, but were reported by Myers nonetheless.¹⁷⁶ Rumsfeld was often characterized by the press as being extremely candid; a quality that promoted transparency and legitimacy.¹⁷⁷ Rumsfeld’s general candor is displayed in his response to press queries on the US use of cluster munitions. The Secretary explained the munitions were being used on the front lines against “al Qaeda and Taliban troops to try

¹⁷³ See Woodward, *Bush at War*, 158; 160; 245.

¹⁷⁴ See Woodward, *Bush at War*, 179.

¹⁷⁵ See Woodward, *Bush at War*, 299.

¹⁷⁶ See Woodward, *Bush at War*, 216.

¹⁷⁷ Rowan Scarborough, *Rumsfeld’s War: The Untold Story of America’s Anti-Terrorist Commander* (DC: Regnery Publishing Inc, 2004), 33-34.

to kill them.”¹⁷⁸ He appeared to maintain this characteristic candor in the Council, for the most part. While the military agents *at times* muddied the waters of military operations, in general, the agents sought to provide information sufficient for decision-making to their civilian principals.

Monitoring mechanisms during the policy process could be considered highly intrusive, mirroring many of those identified in Feaver’s model. (See Figure 5. Monitoring Mechanisms for Civilian Oversight of Military.) Stringent rules of engagement, for example, one of the most restrictive of the mechanisms available to civilian principals, prevented General Franks from targeting areas of high collateral damage, even though minimal military effects were achieved by bombing acceptable targets. Although Franks kept his job, civilian-agent Rumsfeld closely managed the seemingly unimaginative General Officer. Franks’ embrace of the Agency-proposed bomb-halt-bomb strategy curried displeasure with Rumsfeld, who perceived it to be a variant of Vietnam’s graduated response.¹⁷⁹ Franks’ confidence was sufficiently undercut by Rumsfeld’s hands-on approach to monitoring that the General recommended Rumsfeld find a confidence-inspiring replacement.¹⁸⁰ Finally, news media and think tanks prolifically reported on the war’s progress, capitalizing on whistle-blowing sensations—like that of the Office of Strategic Influence—whenever possible. These intrusive monitoring mechanisms during the post-9/11 policy process suggest the military agents had considerable incentive to *work*.

Preference Alignment

Preferences have the least opportunity to influence policy outcomes during the monitoring stage of the policy process, because policy decisions have already been determined in the previous four stages. As policy is monitored, however, the feedback it provides serves as the impetus for revising or reforming the policy, potentially re-initiating the policy process. In the case of post-9/11 policy, the Council members entertained relatively similar preferences through the early stages of the policy process.

¹⁷⁸ Scarborough, *Rumsfeld’s War*, 33.

¹⁷⁹ Feith, *War and Decision*, 106.

¹⁸⁰ Feith, *War and Decision*, 106.

In the implementation and monitoring stages, however, there appears to be greater variance between principal and agent preferences.

Organizational preferences probably shaped the military agent's interpretation of the war's progress. Secretary Rumsfeld, for example, repeatedly advocated initiating military activities elsewhere in the world, in part because his organization was not achieving results in Afghanistan. Rumsfeld anticipated this would be the case and preferred to hedge against failure by diversifying his military operations. As air operations achieved questionable results in Afghanistan, the Secretary once again pushed for parallel operations. The civilian principal's preferences diverged from that of the Secretary. President Bush, on numerous occasions, clearly articulated his preference for a steady focus on Afghanistan to the Council.

Feith's experience in the Office of Strategic Influence offers a poignant example of the consequences of preference disparities, even when contained within organizations. Organizational-behavior and cultural entrenchment within the Department of Defense explain why rivals immediately squashed the cutting-edge organization. The Secretary's failure to turn the situation around with the press suggests a lack of effort; Rumsfeld was typically not one to give into the drama lust of the press. While the Secretary clearly recognized the importance of ideas in the post-9/11 policy, the evidence suggests he did not think the task belonged to the Department. In fact, Rumsfeld makes that exact intimation in his October 3rd guidance memo.¹⁸¹ The Secretary's apparent preference to keep the Department out of the information business suggests a simple alternative: kinetic culture.

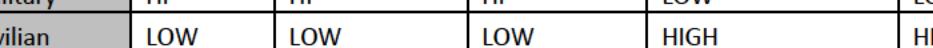
¹⁸¹ Feith, *War and Decision*, 85.

	Case Study: Informal Decision Control Level Assessment					
Stages	Info Asymmetry Favors	Preference Similarity	Issue Salience	Mil Decision Control	Civ Decision Control	Outcome
Initiation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Formulation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Validation	Mil	Similar	HIGH	HIGH	LOW	Mil Preference
Implementation	Mil	Dissimilar	HIGH	LOW	HIGH	Undetermined
Monitoring	Civ	Dissimilar	HIGH	LOW	HIGH	Civ Preference

Figure 19. Case Study Stage V: Informal Decision-Control Level Assessment

Source: Author's own work

	Case Study: Informal Decision-Control Level by Stage				
	Initiation	Formulation	Ratification	Implementation	Monitoring
Military	HI	HI	HI	LOW	LOW
Civilian	LOW	LOW	LOW	HIGH	HIGH



 Preferences Most Dominant Preferences Least Dominant

Figure 20. Case Study Stage V: Informal Decision-Control Level by Stage

Source: Author's own work

Part VI. Policy Process: Beginning Again with Iraq

The post-9/11 policy process exhibited the highly non-linear path often characteristic of crisis situations, when time constraints dictate decision at the cost of perfection. Time constraints have the effect of compressing the policy process and compelling parallel efforts. Initiating policy bleeds over into policy formulation, and there are no clean breaks between formulation and ratification. Even implementation and monitoring become somewhat nebulous. Did implementation begin with efforts to insert the Jawbreaker teams, or with the team's insertion itself, for example? Discussions about the need to include Iraq in the post-9/11 national security policy surfaced almost immediately after the dramatic attacks, but the decision to invade did not become a

tangible part of policy until 2002. Arguably, this transition to Iraq signified both a continuation of the broader policy process—the policy guiding the global war on terrorism—and the initiation of a second policy process in parallel: regime change in Iraq.

The broad policy that shaped US strategy in Afghanistan provided the impetus to examine regime change in Iraq. The policy was one of prevention; Rumsfeld, Wolfowitz, and Feith were keen to make prevention of another terrorist attack against the United States the driving idea behind the war on terrorism. Key elements of this national security policy included the US commitment to regime change in states that supported or harbored terrorists; the intent to take the fight to the terrorists, rather than permitting attack-planning efforts to continue unmolested; the imperative to secure weapons of mass destruction that might make their way into terrorist hands. To the National Security Council, Iraq looked like a loaded gun.

The National Security Council's interest in Iraq predated the 9/11 attacks.¹⁸² Despite the Tenet's warnings about the impending threat al Qaida posed, Rice kept al Qaida *off* the agenda but *included* Iraq in both the January and February 2001 meetings, although at the Deputies' level.¹⁸³ In the spring of 2001, Rice's staff authored a paper outlining potential options to liberate Iraq, which ranged from providing assistance to opposition groups to US military action against the Iraqi regime.¹⁸⁴ Blind to the irony of his own assessment, Feith writes, "All the national security officials viewed Saddam as a problem, but there were important differences among us: first, concerning containment versus regime change, and, second, concerning whether regime change should mean merely a coup against Saddam Hussein or a more thorough removal of the Baathist government."¹⁸⁵ Completely inured to the potential for no action, or the cessation of active military air policing, Feith's comment displays the inevitability that something would be done about Iraq. Wolfowitz and Feith were already developing policy

¹⁸² Rumsfeld, *Known and Unknown*, 418-421.

¹⁸³ Feith, *War and Decision*, 199.

¹⁸⁴ Feith, *War and Decision*, 206.

¹⁸⁵ Feith, *War and Decision*, 199.

proposals that shifted inconsequential retaliation for no-fly zone violations to attacks on strategic targets intended to undercut Saddam's power in July of 2001.¹⁸⁶

Almost immediately after the 9/11 attacks, members of the Council displayed interest in linking Iraq to terrorism. The President grilled terrorism czar Clarke about hunting down Iraq linkages, and brought it up explicitly in the 13 September National Security Council meeting.¹⁸⁷ On the defense side, Rumsfeld, Wolfowitz, and Feith characterized Iraq as one of the threats a new policy of prevention should be concerned about; legacy hostility, purported links to terrorism, and the possession of weapons of mass destruction put Saddam squarely in the cross-hairs.¹⁸⁸ Despite the Central Intelligence Agency's denial that there were any links between Saddam and the 9/11 attacks, President Bush secretly asked Secretary Rumsfeld to dust off the Iraq war plan in late November, 2001.¹⁸⁹ Luckily, the Secretary was in the process of reviewing all of the war plans, so no one would notice his interest in Iraq as anything unusual.¹⁹⁰ The Future of Iraq Project was already underway at the State Department.¹⁹¹

The efforts became externalized not too long after President Bush's secret task. On December 9th, Vice President Cheney drew the connection between al Qaida's Mohhamed Atta and the Iraqi Intelligence Service, despite strong suspicions from the Agency that the intelligence was faulty.¹⁹² Franks briefed the President after Christmas, indicating that the United States needed to "start posturing and building forces."¹⁹³ The President's State of the Union Address in January of 2002 exposed Iraq as one of the evil trifecta, and he followed that up with a secret National Security Council directive establishing Iraq war objectives in February. That same month, Secretary Powell asserted to the House International Relations Committee that, "with respect to the nuclear program, there is no doubt that the Iraqis are pursuing it."¹⁹⁴ Cheney worked the press circuit in February, beginning to drop the bread-crumb trail that would incriminate Iraq.

¹⁸⁶ Rumsfeld, *Known and Unknown*, 418-421. See also Feith, *War and Decision*, 209.

¹⁸⁷ Feith, *War and Decision*, 14-15.

¹⁸⁸ Graham, *By His Own Rules*, 290-291, 293.

¹⁸⁹ Bob Woodward, *Plan of Attack* (NY: Simon and Schuster, 2004), 1.

¹⁹⁰ Woodward, *Plan of Attack*, 2.

¹⁹¹ Anderson, *Bush's Wars*, 96.

¹⁹² Anderson, *Bush's Wars*, 96.

¹⁹³ Anderson, *Bush's Wars*, 96.

¹⁹⁴ Anderson, *Bush's Wars*, 96.

CENTCOM began exercising for combat in Iraq, and Franks briefed the Joint Chiefs in their “tank,” revealing plans to use 250,000 troops in a two-front land war launched from Kuwait and Turkey.¹⁹⁵ Italian intelligence indicated Iraq arranged to buy 500 tons of yellow cake uranium from Niger; a claim that was later proved false by diplomat Joseph Wilson.¹⁹⁶ The momentum, however, was already building.

By January of the following year, Operational Plan 1003 Victor was in place.¹⁹⁷ The United States and an “alliance of willing states” invaded Iraq on March 19, 2003.¹⁹⁸ It was not expected to leave entirely until the end of 2014.

Part VII. Analysis and Implications of the Case Study

What does all of this tell us? The analysis of the case study shows that when policy issues of high salience are being debated, and information asymmetry favors one actor, and preferences between actors are aligned, then that actor is likely to have a high degree of control over the policy decision. Information asymmetry and preference similarity become of paramount importance to policy formulation for issues of high salience, like the use of military force. As discussed in Chapter 3, some information asymmetry is inevitable in the principal-agent construct, especially when applied to civil-military relations. *Civilian principals must bear in mind the potential influence this information asymmetry can have on the policy outcome.* If their preferences are aligned with the military agent’s, and the military agent has the information asymmetry advantage (which is inherent to a greater degree in civil-military relations than in economic applications of the principal-agent construct), then the model employed in this study indicates the military agent’s preferences are likely to shape the policy outcome. *If however, monitoring regimes are intrusive enough to offset the information asymmetry that more naturally favors the military agent in decisions over the use of force, the civilian principal can moderate the influence of the military agent’s preferences on the policy outcome.* Furthermore, the civilian principal can incentivize greater information

¹⁹⁵ Scarborough, *Rumsfeld’s War*, 45.

¹⁹⁶ Anderson, *Bush’s Wars*, 98.

¹⁹⁷ Scarborough, *Rumsfeld’s War*, 45.

¹⁹⁸ Hans Blix, “Iraq War was a terrible mistake and violation of U.N. Charter,” CNN, March 19, 2013, <http://www.cnn.com/2013/03/18/opinion/iraq-war-hans-blix>.

disclosure by making the threat of punishment severe enough to promote greater transparency between principal and agent.

Alternatively, the civilian principal can strive to offset the information asymmetry advantage inherent in the civil-military application of the principal-agent construct by ensuring there is no preference band-wagoning during the policy process. Non-alignment of policy preferences serves as a barrier to the influence of the military agent's cultural preferences. In this study, these cultural preferences are asserted to be kinetic.

In Feaver's conception of the principal-agent relationship applied to civil-military affairs, information asymmetry always favors the military agent. Why? The military agent possesses technical expertise that is different from the principal's; general uncertainty exists about military operations being able to achieve their objectives, but less uncertainty exists for the military agent who is familiar with warfighting; the military agent possesses a moral superiority based on a willingness to sacrifice his life for the civilian principal. Even if we take Feaver's claims about the inherent information asymmetry between civilian principal and military agent beyond what is already endogenous to the problem of agency, it does not prevent an information asymmetry advantage from being gained by the civilian principal. *The civilian principal, through oversight and punishment mechanisms, can attempt to offset the inherent information asymmetry in the principal-agent relationship.* Through these mechanisms, the civilian principal strives to rebalance the information asymmetry and thus ensure a policy process more immune to the undue influence of the military agent.

The military agent, on the other hand, has fewer options to gain influence over the policy process, if information asymmetry favors the civilian principal. If oversight and punishment mechanisms are severe enough to give the civilian principal the information asymmetry advantage, then, according the methodology used in this study, the military agent must not permit preferences to align with that of the civilian principal—in Feaver's terms, the military must *shirk*. Shirking becomes the only means of influence for the military agent over the policy decision when the civilian principal possesses the information asymmetry advantage, because non-aligned preferences will lead to an indeterminate policy outcome, rather than a policy that reflects the preferences of the civilian principal. The military agent may have very little room to *shirk*, however,

because the civilian principal's monitoring and punishment mechanisms are severe, and *shirking* will be detected and punished. *The lesson for military agents is that they must create and exploit information asymmetry as early in the policy process as possible, if their preferences are to shape the policy decision. Furthermore, military agents must be aware that their preferences may unduly and unintentionally influence policy decisions when information asymmetry is high.*

Problematically, intentionally creating or increasing information asymmetry between civilian principal and military agent may challenge the military's notions of professionalism and obedience. The Huntingtonian civil-military model that Feaver builds upon rests on identities; the military identity is characterized as professional and subordinate to the civilian leaders. That professional identity rules out intentional *shirking*, except in instances where civilian decisions are considered illegal or infringe upon military agents' prerogative with decisions of military incompetence. In other words, military agents are compelled by their professional identities to be agnostic about policy, judging only military feasibility—they are “passive, instrumental means.”¹⁹⁹ *Consequently, the prospect of intentionally creating and exploiting information asymmetry as a means of exerting greater influence over the policy outcome goes against the very grain of the military agent's professional ethos.*

In the end, this study was about determining how the cultural preferences of the Department of Defense—kinetic action—shape national security policy. The final analysis suggests that the preferences of the Department significantly shaped the decisions about post-9/11 policy, primarily because the information asymmetry favored the military agent, and there was little divergence between the preferences of the civilian principal and the military agent in the critical stages of the policy process. Information asymmetry is a factor inherent in the principal-agent construct, and amplified in civil-military applications of that construct. *In other words, information asymmetry that inherently favors the military agent is a constant that civilian principals must actively counteract.* The manner in which this inherent asymmetry is managed is critical to controlling the influence of the military agent's cultural preferences on policy.

¹⁹⁹ Huntington, *The Soldier and the State*, 69.

Beyond counteracting the constant asymmetric advantage, the civilian principal must take care to carefully assess preference alignment between civilian principals and military agents. In the case of post-9/11 policy development, the President decided almost immediately that the situation called for a kinetic military response. Although the later development of the prevention strategy by the Department of Defense more systematically evaluated the merits of kinetic military action, an initial policy direction had already been established. It was, quite possibly, an emotional response to the events of 9/11, but its harmony with the Department's cultural preference set the nation off in a specific direction.

The danger of readily aligned preferences is in evidence in the decision to invade Iraq. That preference was strongly exhibited in the first days following the 9/11 attacks, amongst both the civilian principals and military agents, save Secretary Powell and Chairman Shelton. Almost immediately after Afghanistan gained positive momentum, the group redirected their efforts to a point of harmony between them: Iraq. Evidence of weapons of mass destruction aside, the Council was intent on linking Iraq to their larger policy of prevention so early in the policy process that subsequent evidence becomes suspect. If civilian principals and military agents had been aware of the implications of preference alignment in civil-military relations, perhaps greater caution would have been in evidence in the decision regarding Iraq.

By dealing in terms of preferences, this study does not eliminate the maneuver space for other considerations. The National Security Council never really entertained the possibility of foregoing kinetic military action altogether, suggesting its members exhibited a strong preference for kinetic military action. This assertion does not exclude their additional considerations over financial measures, information management, and international relations in the development of policy, but it subordinates them to the demonstrated preference. The Department of Defense exhibited strong preferences for kinetic military action, but it did not forego consideration of non-kinetic action. Key military agents, Rumsfeld, Myers, Pace, Wolfowitz, and Feith, recognized the important role information could and should play in the ideological struggle between the west and extremist Muslims. Feith's efforts to establish the Office of Strategic Influence admits as much, yet Secretary Rumsfeld didn't save the organization when it was in trouble.

Secretary Rumsfeld reinforced, both as principal and as agent, that information was supremely important, *but it wasn't the job of the Department of Defense.*

CHAPTER 6

Conclusion

The expeditions of the Global War on Terror had addressed the mosquitoes but not the swamp; in Europe the processes of subversion and activism were being intensified not reduced by the campaigns in Iraq and Afghanistan. The US National Strategy had depicted its adversary not as an insurgency but as a terrorist organization that was politically isolated... Instead they had recreated it as something familiar, something that they could destroy with weapons...

-John Mackinlay

This study sought to determine *if* and *how* the kinetic culture of the Department of Defense influenced national security policy. First, the study laid out the basis for the assertion that the Department of Defense is characterized by a kinetic culture through an investigation of strategic documents and budgetary priorities. Next, the study explored classic civil-military relations theories, with particular emphasis on Peter Feaver's principal-agent construct. The study then outlined the policy formulation process and reviewed how actor preferences influence policy during each stage of that process. Finally, this study applied Feaver's principal-agent construct to the policy formulation process that took place immediately following the attacks of September 11th, 2001. In particular, issue salience, information asymmetries, and preference alignment were investigated to determine if there was a potential for the kinetic preferences of the military agent to determine the policy outcome, and if so, how.

Although differences in actor preferences are evidenced in the case study, in the final analysis it appears that these differences are too subtle to reliably demonstrate. In fact, civilian principal and military agent preferences were closely aligned during the policy formulation process post-9/11. To be more explicit, both civilian principals and military agents preferred to primarily use kinetic action to solve the policy problem. Actors' preferences varied modestly within the range of kinetic actions proposed, but all of the actors desired kinetic action to be the primary manifestation of the nascent U.S. policy. From the President of the United States to the Secretary of State, from the National Security Advisor to the Chairman of the Joint Chiefs, the overwhelming preference was to use kinetic military action to contend with the challenge of global

terrorism and to provide preventive defense for the United States. Only minutes after the attacks, President Bush clearly indicated that he conceived of the problem as *war*, and war meant kinetic military action.

The evidence therefore suggests that although the Department of Defense has a kinetic culture, this culture is not isolated within the Department. In fact, the culture extends far beyond the Department of Defense. Kinetic action characterizes a broadly western and specifically American way of warfighting that privileges kinetics above non-kinetics as the perceived means to the desired ends. The fact that this statement seems evident reveals the degree to which kinetic action has become an underlying assumption in American warfighting. Kinetic action satisfies the lust for immediacy and a direct approach, but often fails to acknowledge the second- and third-order effects that result. Importantly, this study highlights that these biases are not limited to the military domain, but extend to the senior-most positions of civilian authority.

In addition to revelations about the pervasiveness of kinetic culture, this study also exposes limits to the application of agency theory. Preference alignment between civilian principals and military agents within the context of the post-9/11 policy case study reveals the boundaries of the principal-agent construct when applied to civil-military relations. Civil-military relations are unique cases of the principal-agent relationship, distinct from economic applications, because civilian principals and military agents' overriding interests are the same. Both actors seek national security. In the economic field, principals and agents are self-interested, pursuing the best outcome for themselves or their bottom line. Certainly civilian principals and military agents will differ in certain instances about how national security is best achieved, and rational calculations, organizational behaviors, and government politics will influence these determinations to some degree. When preferences do not diverge significantly, however, as evidenced in the case study used here, the principal-agent construct is not useful.

Despite assertions from both Samuel Huntington and Peter Feaver that preferences between civilian principals and military agents are inherently different, this difference is immaterial in certain cases. Huntington asserts that because the “manifest function” of military agents is to wage war, and war dissipates their power, their

preferences is always to only prepare for war.¹ Yet, as the case study demonstrated, the military agents' preferences revealed no such reluctance. If indeed the military agent preferred not to go to war, the preference was not evident to sufficient degree to shape the policy outcome. Feaver's additive agency theory introduces a rational, cost-benefit analysis to civil-military affairs. According to Feaver, the military agent should shirk if monitoring is not intrusive and punishment is not perceived to be severe. The construct assumes, as a function of its economic foundation, that principal and agent have different preferences, and that monitoring and punishment are controls on those preference differences. In the case of civil-military relations, however, the case study demonstrated that preferences were aligned. Agency theory is therefore not operative when preferences between civil-military actors are aligned.

Finally, the case study analysis reveals that the process of policy-making is flawed in crisis situations. If policy remains unchanged during the policy process, despite indications of failure, then the monitoring stage of the process is irrelevant. The National Security Council determined from the outset that the United States should develop a policy of preventive defense. Eliminating terrorist groups, threatening and then punishing sponsor states or states with weapons of mass destruction became central to the strategy. The policy of preventive defense was never modified, even though military operations persisted long beyond intended timelines and led to the kind of quagmire the National Security Council sought to avoid. Failure to appropriately interpret the feedback emanating from two hot zones, Afghanistan and Iraq, precluded the policy process from working effectively and achieving the desired end state.

This study begs the question, if not kinetic action, then what? Theoretically, a disposition toward kinetic action may not be inappropriate if a state is the biggest military power in the world and can *endlessly* pursue security through raw physical might. High costs in blood, treasure, and international prestige, however, suggest that such a pursuit belongs only to the realm of theory. A post-9/11 policy predicated on discretion and the *withholding of force* would have gotten a lot of mileage in the international community, undercutting al Qaida's message about America's infidel quest to dominate the Middle

¹ Huntington, *The Soldier and the State*, 69.

East. Instead, America's actions in Iraq and Afghanistan more dramatically fueled the terrorists' cause, and weakened America's economic and military power to boot.

Why did America's kinetic action fail? America's military forces surely demonstrated remarkable power, competence, and learning in both Afghanistan and Iraq; key elements for successful coercion or domination. But decision-makers in the United States failed to appropriately diagnose the problem the nation confronted, and this is the chief challenge in strategy. John Mackinlay expertly lays out one potential explanation, asserting that the United States wrongly applied a strategy suited for a 1990s-version of the enemy, and failed to address the central problem.² He characterizes the post-9/11 war as one with "post-Maoist" insurgents who are deterritorialized; who exploit modern communications to generate global popular support; who lack a center of gravity; whose "campaign objectives lie in the virtual dimension, in the minds of individuals and their consequent activism."³ The "expeditionary approach," that is, *kinetic action taken to the enemy, to fighting a post-Maoist insurgency fails to address the different nature of the modern terrorist.*⁴ Instead, the United States developed a strategy best suited for legacy constructs like Mao's, which typically require an aggrieved population to exploit, control over territory, a political ideology, and limited military means.⁵ Although the United States promotes its strategy as one that has sufficiently reduced the threat posed by al Qaida and like-minded extremists, it has failed to seal off the wellspring from which reinforcements are drawn. In fact, US policy had the opposite effect. Hanif Qadir, the United Kingdom's leading specialist in converting violent extremists, testified as much in August of 2008, stating "The number of young people getting involved in violent extremism and who are prepared to go to Afghanistan and Iraq to fight the jihad is growing."⁶ Perhaps the United States has turned the situation around since Qadir's comments were made, withdrawing from Iraq and developing drawdown plans for Afghanistan by the end of 2014. Recent events, like the 9/11 anniversary attack on the

² John Mackinlay, *The Insurgent Archipelago: From Mao to bin Laden* (NY: Columbia University Press, 2009), 190.

³ Mackinlay, *The Insurgent Archipelago*, 162.

⁴ Mackinlay asserts that the modern terrorist is really a global insurgent. Mackinlay, *The Insurgent Archipelago*, 190.

⁵ Mackinlay, *The Insurgent Archipelago*, 19-23.

⁶ Mackinlay, *The Insurgent Archipelago*, 190.

U.S. Embassy in Benghazi, Libya, which claimed four American lives, and the jihad-fueled attack on the Boston Marathon in April of 2013, suggest that the wellspring of anti-Americanism has not been sufficiently exhausted.

Military practitioners and civilian decision-makers alike must bear in mind the potential for kinetic culture to shape national security policy, recognizing that inappropriately extending an Industrial Age war-fighting paradigm will only weaken a great nation. In the interconnected world that post-Maoist insurgents exploit, developing a more thoughtful, cost-effective, and information-based means of achieving effects is an imperative. Information should be graduated to the status of equal partner in the range of military options presented to policy-makers in order to fully acknowledge the Clausewitzian peculiarities of the age in which we live and fight.

This study suggests that further effort needs to be made toward developing an understanding of why non-kinetic operations are seconded to kinetic operations in both the Department of Defense and American national security culture, even in the face of enemies whose strengths are precisely non-kinetic. Additional research also needs to be conducted to determine to what degree the culture of the Department of Defense shapes American culture. If the Department of Defense considered non-kinetic action on par with kinetic operations—or even *promoted* non-kinetic action for its short- and long-term economy—how might America’s national security culture change? Might a cultural migration away from kinetic action toward the indirect approach foster patience and wisdom in a characteristically ambivalent American foreign policy? These are questions deserving of serious scholarship, if the United States is to endure as the guardian of global order.

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